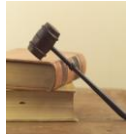


Date 6-17-2010

Dear Provider,

This letter contains a number of updates and important messages. Please take a few minutes to read this letter and call your licensor or registrar with any questions you may have.



New Law Affecting All Day Care Programs

Exciting news! Governor Paterson signed a new bill into law on 6-16-2010 that contains changes affecting all modalities of child care programs. A summary of the specific changes affecting your program and information concerning how the Office of Children and Family Services' (OCFS) will implement the law is attached to this letter. In addition, the Division of Child Care Services (Division) is planning sessions with providers to explain the new law and answer any questions you may have. Updated news about these sessions will be posted to the Division's website at: <http://www.ocfs.state.ny.us/main/childcare/default.asp>, as soon as a plan is in place.



New Certification Needed for Contractors

As of April 22, 2010, any contractor, including renovators, electricians, HVAC specialists, plumbers, painters and maintenance staff, who disrupts more than six square feet of lead paint in pre-1978 homes, schools, day care centers and other places where children spend time must be EPA lead safe certified. Dust from renovation, repairs and painting can contaminate an entire home and, if inhaled or ingested, can cause irreversible damage to children and adults. Be safe! Make sure your contractor is EPA certified. For more information go to: <http://www.epa.gov/lead/pubs/renovation.htm>.



Renewing Medication Administration Training (MAT)

Help us to help you! MAT recertification notices are mailed directly to the medication administrant's home address 3-4 months prior to the certification expiration date. Please contact the MAT program if you or your staff's home address and/or place of employment have changed since you initially took the MAT course. In addition, the medication administrant needs to be listed in the Child Care Facility System (CCFS) for the correct program. Without the correct address and a correct listing in CCFS we can not notify medication administrants when their on-line recertification training is due. This could cause a lapse in their authorization to administer medications. Please direct correspondence regarding mailing address to mat@pdp.albany.edu or call (866) 665-5537 and update your licensor or registrar with staffing information.



Pool Season and Home-Based Care

Spring/Summer season means open swimming pools and the need to be vigilant about safety and outdoor water hazards. Family-based providers using pools must review any previously approved pool plan and call their licensor/registrar if anything has changed re: layout, use plan, structural changes (deck, stairs, etc). Providers who wish to be approved to use a residential pool for the first time will need OCFS approval prior to pool use. Contact your licensor/registrar before you plan to include pool use in your activities. For more information visit:

http://www.ocfs.state.ny.us/main/childcare/pool_guidelines.asp



Do NOT Flush or Pour Unwanted, Unused or Expired Medications down the Drain

In the past, flushing was considered the best way to keep unused and unwanted medications from children, teenagers and others who might accidentally or intentionally ingest them. Due to increasing awareness about the potential effects of medications on the food chain, the best way to dispose of drugs is to return them to the child's parent or toss them in the trash wrapped in other garbage items. OCFS has updated the *Health Care Plan Guidelines* to include this information. For more on this topic visit: <http://www.dec.ny.gov/chemical/45083.html#How>.



New On-Line Training Coming Soon

Stay Tuned. OCFS is working on two **new on-line training** courses called: *Managing Challenging Behaviors – Birth to 18 months* and *Keeping Children Safe – Lead Prevention*. When the training modules are complete, an announcement will be posted to the Division of Child Care Services website under the heading “*What’s New*” at: <http://www.ocfs.state.ny.us/main/childcare/default.asp>.



Survey Concerning Regulatory Changes

OCFS is in the process of reviewing regulatory changes. The Division presented ideas at two recent day care center and family-based provider conferences and asked for feedback to an on-line survey.

The survey remains available on the OCFS website at:

http://www.ocfs.state.ny.us/main/childcare/daycare_regs_Discuss.asp. Let us hear from you.

*School Age Child Care survey will be coming soon.

Have a safe and fun summer! Thank you for all you do for the children of New York State.

Sincerely,

Janice M. Molnar Ph.D.
Deputy Commissioner
Division of Child Care Services

Group Family Day Care


1. Group family child care providers may now care for up to 12 children of all ages. Up to four additional school-age children may be in care for a maximum capacity of 16 children. OCFS will assess the program for adequate indoor space for the comfort of the children and to accommodate a variety of activities for the children prior to issuing a new license reflecting a change in maximum capacity.
2. A group family child care provider may now care for up to 8 children by his/herself provided that at least two of the children are of school-age and no more than two of the children are under the age of two.
3. There must be one approved assistant present when child care is provided to seven or more children when none of the children in care are school-age or nine or more children when at least two children in care are school age. One caretaker per every two children under the age of two is still the requirement.

Group family child care providers who opt to increase their maximum capacity must submit the attached request form. An inspection will be scheduled to assess whether there is adequate indoor space for the comfort of the children and to accommodate a variety of activities for the children. If you are within 60 days of renewal or in the process of renewal, a request is unnecessary; the licenser will review your group family day care program space during renewal. *Until an inspection is conducted and a new license is issued, providers must be in compliance with the current maximum capacity as noted on the face of his/her group family day care license.*

The following regulatory restriction will still apply: *In a personal residence where **more than one licensed or registered family or group family day care home** was located **prior to March 1, 2002**, the maximum capacity of all licensed and registered family and group family day care homes in the residence **shall not under any circumstances exceed 20 children in total**, including school-age children who receive care for only part of the day; and no individual group family day care home located in such a residence may have a maximum capacity of more than 10 children, including school-age children who receive care for only part of the day.*

Family Day Care

Under the new law, family day care providers may care for more than two children under the age of two only if there is at least one caregiver for each two children under the age of two.

 **A family child care provider who plans to request a new registration in order to care for more than two children under the age of two must fill out the attached form.** An inspection will be scheduled to assess the program's ability to care for additional infants. If you are within 60 days of renewal or in the process of renewal, a request is unnecessary; the licenser will review your family day care program's ability to care for additional children during renewal. *Until an inspection is conducted and a new license is issued, providers must be in compliance with the current license.*

Family child care providers, who hold waivers allowing them to care for more than two children under the age of two, will be contacted by their licensor and the waiver will be evaluated in light of the new law. No further waivers will be approved by the Division of Child Care Services as requirements established in law cannot be waived.

Terms of Licenses and Registrations

OCFS may **renew licenses and registrations for up to four years**, as long as the provider remains in substantial compliance with law and regulation. All day care licenses/registrations periods will be assessed for the four-year licensing and registration term at your program’s next renewal cycle.

Fines

The law expands the list of violations for which the OCFS may seek a fine regardless of whether the provider corrects the violation. The list is commonly known as the list of “non-rectifiable violations.” The law expanded the list to include the following violations for which the OCFS may seek a sanction for an initial violation:

- i. A provider, assistant, employee, volunteer, or household member who: injures a child in care; unreasonably fails to obtain necessary medical attention for a child; or uses corporal punishment against a child; or
- ii. A provider, assistant, employee, or volunteer who: fails to report suspected child abuse and maltreatment when required to do so; or submits forged documents to OCFS.

Minimum Periods of Disqualification from Reapplying

The law prohibits the issuance of a license or registration to a child day care provider whose license or registration was revoked or terminated during the previous two years, unless the OCFS determines that licensure or registration would not jeopardize the health, safety or welfare of children for whom care would be provided. This prohibition also applies to a child care program that is fined on two separate occasions for operating without a required license or registration and a program that is facing enforcement action and surrenders its license or registration in order to a void suspension, revocation, or termination.

Your licensor or registrar has been informed of the new law and will be working with you to accommodate the changes. If you have any questions regarding the Law or how OCFS plans to implement the changes, please call the regional office in your area.

REGIONAL OFFICE	MANAGER	CONTACT NUMBER
Albany	Linda Sornberger	(518) 402-3038
Buffalo	Robert Stoczynski	(716) 847-3828
Long Island	Robin Beller	(631) 342-7100
New York City	Patricia Lewis	(212) 383-1415
Rochester	Terry Chylinski	(585) 238-8531
Syracuse	Dianne McLaughlin	(315) 423-1202
Spring Valley	Frances Franco-Montero	(845) 708-2400

Request for Inspection

Check either box:

- Group Family Day Care -- Increase program's maximum capacity**
- Family Day Care -- Increase number of children in care under two yrs. of age**

Name of Provider: _____

Facility ID: _____

Address: _____

City: _____ **Zip Code** _____

Phone Number: (____) _____

Hours of operation: _____

See opposite side for mailing instructions

Mail form to the correct Regional Office Mailing Addresses as seen below:

<p>Albany Regional Office</p> <p>Linda Sornberger, RO Manager Room 309 South Building 52 Washington St. Rensselaer, NY 12144 (518) 402-3038</p>	<p>Buffalo Regional Office</p> <p>Bob Stoczynski, R.O. Manager 295 Main Street, Room 545 Buffalo, NY 14203 (716) 847-3828</p>	<p>Long Island Regional Office</p> <p>Robin Beller, R.O. Manager Courthouse Corporate Center 320 Carelton Avenue, Suite 4000 Central Islip, NY 11722 (631) 342-7100</p>
<p>Rochester Regional Office</p> <p>Terry Chylinski, R.O. Manager 259 Monroe Avenue, 3rd Fl. Monroe Square Rochester, NY 14607 (585) 238-8531</p>	<p>Syracuse Regional Office</p> <p>Dianne McLaughlin, R.O. Manager The Atrium 100 S. Salina Street, Suite 350 Syracuse, NY 13202 (315) 423-1202</p>	<p>Spring Valley Regional Office</p> <p>Frances Franco- Montero, R.O. Manager 11 Perlman Drive, Pascack Plaza Spring Valley, NY 10977 (845) 708-2400</p>
<p>Bronx Field Office</p> <p>Bureau of Day Care Services Judouane Lazarre & Cheryl Paynter 1309 Fulton Ave. Bronx, NY 10456 (718) 410-3903</p>	<p>Manhattan Field Office</p> <p>Bureau of Day Care Services Vladimir Ortiz 2 Lafayette Street 22nd Floor Manhattan, NY 10007 (212) 676-2444</p>	<p>Brooklyn/ Staten Island Office</p> <p>Bureau of Day Care Services Arlene Fairweather & Lana Andrieskaya 195 Montague Street 6th Floor Brooklyn, NY (718) 222-6399</p>
<p>Queens Field Office</p> <p>Bureau of Day Care Services Vida Isley 59-27 Junction Blvd. Room 1400 Corona, NY 11368 (718) 393-6257</p>		