

Side-by-side Comparison of RF/DHS/RSP Suggested Rules November 2015

3. HEALTH AND SAFETY REQUIREMENTS

- (a) The prevention and control of infectious diseases (including immunization) and the establishment of a grace period that allows homeless children and children in foster care to receive services while their families are taking the necessary action to comply with immunization and other health and safety requirements.

RF Rules	Current DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0090(5)(b) Infants shall have a crib, portable crib or playpen with a clean, non-absorbent mattress. All cribs must comply with current Consumer Product Safety Commission (CPSC) standards. There shall be no items in the crib with the infant (e.g. toys, pillows or stuffed animals).	461-165-0180(7) Each provider must: (s) Comply with state and federal laws related to ... crib standards under 16 CFR 1219 and 1220.	Infants shall have a crib, portable crib or playpen with a clean, non-absorbent mattress. All cribs must comply with current Consumer Product Safety Commission (CPSC) standards. There shall be no items in the crib with the infant (e.g. toys, pillows or stuffed animals).	
414-205-0100(1) The home must be a healthy environment for children.	461-165-0180(7) Each provider must: (n) Take reasonable steps to protect a child in his or her care from the spread of infectious diseases.	The child care facility must be a healthy environment for children.	
414-205-0100(1)(i) There must be at least one flush toilet and one hand-washing sink available to children. Steps or blocks must be available to ensure children can use the toilet and sink without assistance.		There must be at least one flush toilet and one hand-washing sink available to children. Steps or blocks must be available to ensure children can use the toilet and sink without assistance.	
414-205-0100(2)(a) The first aid supplies shall include: band aids, adhesive tape, sterile gauze pads, soap or sealed antiseptic towelettes or solution to be used as a wound cleaning agent, scissors, disposable plastic gloves for handling blood spills, a solution for disinfecting after a blood spill, a sanitary temperature taking device and CPR mouth guards.		<i>The first aid supplies shall include: band aids, adhesive tape, sterile gauze pads, soap or sealed antiseptic towelettes or solution to be used as a wound cleaning agent, scissors, disposable plastic gloves for handling blood spills, a solution for disinfecting after a blood spill, a sanitary temperature taking device and CPR mouth guards.</i>	May not want to be this prescriptive
414-205-0100(4) A provider shall not admit or retain in care, except with the written approval of the local health office, a child who:		A provider shall not admit or retain in care, except with the written approval of the local health office, a child who: (a) Is diagnosed as having or being	

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<p>(a) Is diagnosed as having or being a carrier of a child care restrictable disease, as defined in Oregon Health Authority administrative rule; or</p> <p>(b) Has one of the following symptoms or combination of symptoms or illness;</p> <p>(A) Fever over 100°F, taken under the arm;</p> <p>(B) Diarrhea (more than one abnormally loose, runny, watery or bloody stool);</p> <p>(C) Vomiting;</p> <p>(D) Nausea;</p> <p>(E) Severe cough;</p> <p>(F) Unusual yellow color to skin or eyes;</p> <p>(G) Skin or eye lesions or rashes that are severe, weeping or pus-filled;</p> <p>(H) Stiff neck and headache with one or more of the symptoms listed above;</p> <p>(I) Difficulty breathing or abnormal wheezing;</p> <p>(J) Complaints of severe pain.</p>		<p>a carrier of a child care restrictable disease, as defined in Oregon Health Authority administrative rule; or</p> <p>(b) Has one of the following symptoms or combination of symptoms or illness;</p> <p>(A) Fever over 100°F, taken under the arm;</p> <p>(B) Diarrhea (more than one abnormally loose, runny, watery or bloody stool);</p> <p>(C) Vomiting;</p> <p>(D) Nausea;</p> <p>(E) Severe cough;</p> <p>(F) Unusual yellow color to skin or eyes;</p> <p>(G) Skin or eye lesions or rashes that are severe, weeping or pus-filled;</p> <p>(H) Stiff neck and headache with one or more of the symptoms listed above;</p> <p>(I) Difficulty breathing or abnormal wheezing;</p> <p>(J) Complaints of severe pain.</p>	
<p>414-205-0100(4)(b)</p> <p>A child, who, after being admitted into child care, shows signs of illness, as defined in this rule, shall be separated from the other children, and the parent(s) notified and asked to remove the child from the provider's home as soon as possible.</p>		<p>A child, who, after being admitted into child care, shows signs of illness, as defined in this rule, shall be separated from the other children, and the parent(s) notified and asked to remove the child from the child care facility as soon as possible.</p>	
<p>414-205-0100(5)</p> <p>If a child has mild cold symptoms that do not impair his/her normal functioning, the child may remain in the provider's home and the parent(s) notified when they pick up their child.</p>		<p>If a child has mild cold symptoms that do not impair his/her normal functioning, the child may remain in the child care facility and the parent(s) notified when they pick up their child.</p>	
<p>414-205-0100(6)</p> <p>Parents must be notified if their</p>		<p>Parents must be notified if their child is exposed to an outbreak of a</p>	

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child is exposed to an outbreak of a communicable disease.		communicable disease.	
414-205-0100(12)(b) Dogs and cats must be vaccinated according to a licensed veterinarian's recommendations.		Dogs and cats must be vaccinated according to a licensed veterinarian's recommendations.	
414-205-0100(12)(c) Dogs and cats shall be kept free of fleas, ticks and worms.		Dogs and cats shall be kept free of fleas, ticks and worms.	
414-205-0100(13) Animal litter boxes shall not be located in areas accessible to children or areas used for food storage or preparation.		Animal litter boxes shall not be located in areas accessible to children or areas used for food storage or preparation.	
414-205-0100(15) Exotic animals, including, but not limited to: reptiles (e.g. lizards, turtles, snakes) amphibians, monkeys, hook-beaked birds, baby chicks and ferrets are prohibited unless they are housed in and remain in a tank or other container which precludes any direct contact by children. Educational programs that include prohibited animals and are run by zoos, museums and other professional animal handlers are permitted.		<i>Exotic animals, including, but not limited to: reptiles (e.g. lizards, turtles, snakes) amphibians, monkeys, hook-beaked birds, baby chicks and ferrets are prohibited unless they are housed in and remain in a tank or other container which precludes any direct contact by children. Educational programs that include prohibited animals and are run by zoos, museums and other professional animal handlers are permitted.</i>	Consider eliminating
414-205-0120(1) Pre-mixed sanitizers and disinfectants that are EPA registered and meet Oregon Health Authority criteria may be used in all areas of the home per manufacturer instructions.		<i>Pre-mixed sanitizers and disinfectants that are EPA registered and meet Oregon Health Authority criteria may be used in all areas of the facility per manufacturer instructions.</i>	Necessary?
414-205-0100(2) All caregivers and children must wash their hands with soap and warm, running water: (a) Before handling food; (b) Before assisting with feeding; (c) Before and after eating; (d) After diapering; (e) After using the toilet; (f) After assisting someone with		All caregivers and children must wash their hands with soap and warm, running water: (a) Before handling food; (b) Before assisting with feeding; (c) Before and after eating; (d) After diapering; (e) After using the toilet; (f) After assisting someone with toileting;	

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toileting; (g) After nose wiping; (h) After playing outside; and (i) After touching an animal or handling pet toys.		(g) After nose wiping; (h) After playing outside; and (i) After touching an animal or handling pet toys.	
414-205-0120(3) Hand sanitizers shall not replace hand washing. If hand sanitizers are present in the home, they shall be kept out of children's reach and shall not be used on children.		Hand sanitizers shall not replace hand washing. If hand sanitizers are present in the facility, they shall be kept out of children's reach and shall not be used on children.	
414-205-0120(4) All toys, equipment and furniture used by children must be cleaned, rinsed and sanitized regularly and whenever soiled.		All toys, equipment and furniture used by children must be cleaned, rinsed and sanitized regularly and whenever soiled.	
414-205-0120(5) Diaper changing surfaces must be either: (a) Non-absorbent and easily disinfected; (b) Disposed of after each use; or (c) Laundered after each use.		<i>Diaper changing surfaces must be either: (a) Non-absorbent and easily disinfected; (b) Disposed of after each use; or (c) Laundered after each use.</i>	Do we want to be this prescriptive
414-205-0120(6) The diaper changing area shall be located so that hand washing can occur immediately after diapering without contacting other surfaces or children.		<i>The diaper changing area shall be located so that hand washing can occur immediately after diapering without contacting other surfaces or children.</i>	
414-205-0120(7) The building and grounds must be maintained in a clean and sanitary manner.	461-165-0180(7)(o)(F) The building, grounds, any toy, equipment, and furniture are maintained in a clean, sanitary, and hazard free condition.	The building, grounds, any toy, equipment, and furniture are maintained in a clean, sanitary, and hazard free condition.	
414-205-0120(8) All garbage, solid waste, and refuse must be disposed of regularly, in a safe and sanitary manner.		All garbage, solid waste, and refuse must be disposed of regularly, in a safe and sanitary manner.	
414-205-0120(9) The home's water supply must be safe to drink.	461-165-0180(7)(o)(B) (B) The home or facility has safe drinking water.	The home or facility has safe drinking water.	
414-205-0120(10) Wading pools are prohibited for wading.		<i>Wading pools are prohibited for wading.</i>	Should we have this rule for RSP – family care?

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(b) Prevention of SIDS and use of safe sleeping practices.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0075(1) The provider or a substitute provider is responsible for the children in care. At all times the provider or substitute provider must: (a) Be within sight or sound of all children; (b) Be aware of what each child is doing; (c) Be near enough to children to respond when needed;	461-165-0180(7) Each provider must: (j) Supervise each child in care at all times.	The provider or a substitute provider is responsible for the children in care. At all times the provider or substitute provider must: (a) Be within sight or sound of all children; (b) Be aware of what each child is doing; (c) Be near enough to children to respond when needed;	
414-205-0090(1) The provider must give the children's needs first priority, assuring that they get adequate care and attention.		The provider must give the children's needs first priority, assuring that they get adequate care and attention.	
414-205-0090(5) The provider must have routines for eating, napping, diapering and toileting, with flexibility to respond to the needs of each child.		The provider must have routines for eating, napping, diapering and toileting, with flexibility to respond to the needs of each child.	
414-205-0090(5)(a) An individual bed, mat or cot with individual bedding appropriate to the season shall be provided at nap time for each toddler and preschool-age child in the home and for each school-age child who wants to rest.		An individual bed, mat or cot with individual bedding appropriate to the season shall be provided at nap time for each toddler and preschool-age child in the facility and for each school-age child who wants to rest.	
414-205-0090(5)(a)(A) Family beds or sofas may be used with individual bedding appropriate to the season.		Family beds or sofas may be used with individual bedding appropriate to the season.	
414-205-0090(5)(a)(B) If the parent(s) so request, siblings may share the same bed.		If the parent(s) so request, siblings may share the same bed.	
414-205-0090(5)(a)(C) The upper level of bunk beds shall not be used for children under ten years of age.		The upper level of bunk beds shall not be used for children under ten years of age.	

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414-205-0090(5)(a)(D) The upper level of bunk beds may be used for children ten years or older if the bed rail and safety ladder are in place.		The upper level of bunk beds may be used for children ten years or older if the bed rail and safety ladder are in place.	
414-205-0090(5)(b) Infants shall have a crib, portable crib or playpen with a clean, non-absorbent mattress. All cribs must comply with current Consumer Product Safety Commission (CPSC) standards. There shall be no items in the crib with the infant (e.g. toys, pillows or stuffed animals).		Infants shall have a crib, portable crib or playpen with a clean, non-absorbent mattress. All cribs must comply with current Consumer Product Safety Commission (CPSC) standards. There shall be no items in the crib with the infant (e.g. toys, pillows or stuffed animals).	
414-205-0090(5)(c) If an infant uses a blanket, the blanket may not cover the infant's head or restrict the infant from moving.		If an infant uses a blanket, the blanket may not cover the infant's head or restrict the infant from moving.	
414-205-0100(3) Infants must be laid on their backs on a flat surface for sleeping.	461-165-0180(7) Each provider must: (t) Place infants to sleep on their backs.	Infants must be laid on their backs on a flat surface for sleeping.	
414-205-0100(11)(e) Children shall not be laid down with a bottle for sleeping.		Children shall not be laid down with a bottle for sleeping.	

(c) The administration of medication, consistent with standards for parental consent.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0100(7) Prescription and non-prescription medication shall only be given to a child if the provider has written authorization from the parent, as required in OAR 414-xxx-0130(3).		Prescription and non-prescription medication shall only be given to a child if the provider has written authorization from the parent.	
414-205-0100(8) Prescription and non-prescription medications must be properly labeled and stored.		Prescription and non-prescription medications must be properly labeled and stored.	

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414-205-0100(8)(a) Non-prescription medications or topical substances must be labeled with the child's name.		Non-prescription medications or topical substances must be labeled with the child's name.	
414-205-0100(8)(b) Prescription medications must be in the original container and labeled with the child's name, the name of the drug, dosage, directions for administering, and the physician's name.		Prescription medications must be in the original container and labeled with the child's name, the name of the drug, dosage, directions for administering, and the physician's name.	
414-205-0100(8)(c) Medication requiring refrigeration must be kept in a separate, tightly covered container, marked "medication," in the refrigerator.		Medication requiring refrigeration must be kept in a separate, tightly covered container, marked "medication," in the refrigerator.	
414-205-0100(9) Sunscreen is considered a non-prescription medication and may be used for child care children under the following conditions: (a) Providers must obtain written parental authorization prior to using sunscreen. (b) One container of sunscreen may be used for child care children unless a parent supplies an individual container for their child. The sunscreen shall be applied in a manner that prevents contaminating the container.		Sunscreen is considered a non-prescription medication and may be used for child care children under the following conditions: (a) Providers must obtain written parental authorization prior to using sunscreen. (b) One container of sunscreen may be used for child care children unless a parent supplies an individual container for their child. The sunscreen shall be applied in a manner that prevents contaminating the container.	
414-205-0100(9)(b)(A) Parents must be informed of the type of product and the sun protective factor (SPF).		Parents must be informed of the type of product and the sun protective factor (SPF).	
414-205-0100(9)(b)(B) Parents must be given the opportunity to inspect the product and active ingredients.		Parents must be given the opportunity to inspect the product and active ingredients.	
414-205-0100(9)(c) If sunscreen is supplied for an individual child care child, the sunscreen must be labeled with the child's first and last name and must be used for only that child.		If sunscreen is supplied for an individual child care child, the sunscreen must be labeled with the child's first and last name and must be used for only that child.	

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414-205-0100(9)(d) Providers must reapply sunscreen every two hours while the child care children are exposed to the sun.		Providers must reapply sunscreen every two hours while the child care children are exposed to the sun.	
414-205-0100(9)(e) Providers shall use a sunscreen with an SPF of 15 or higher and must be labeled as "Broad Spectrum".		Providers shall use a sunscreen with an SPF of 15 or higher and must be labeled as "Broad Spectrum".	
414-205-0100(9)(f) Providers shall not use aerosol sunscreens on child care children.		Providers shall not use aerosol sunscreens on child care children.	
414-205-0100(9)(g) Sunscreen shall not be used on child care children younger than six months.		Sunscreen shall not be used on child care children younger than six months.	
414-205-0100(9)(h) Child care children over six years of age may apply sunscreen to themselves under the direct supervision of the provider or staff member.		Child care children over six years of age may apply sunscreen to themselves under the direct supervision of the provider or staff member.	
414-205-0100(10) Parents must be informed daily of any medications given to their child or any injuries their child has had.		Parents must be informed daily of any medications given to their child or any injuries their child has had.	
414-205-0130(1) The following records must be kept by the provider for at least one year and must be available at all times to OCC: (c) Medications administered, including the child's name, and the date and time of dosage and the dosage amount.		The following records must be kept by the provider for at least one year and must be available at all times to OCC: (c) Medications administered, including the child's name, and the date and time of dosage and the dosage amount.	
414-205-0130(3) The provider must have a written statement from the parent(s) regarding whether or not the provider is authorized to: (a) Administer medications to a child.		The provider must have a written statement from the parent(s) regarding whether or not the provider is authorized to: (a) Administer medications to a child.	

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(d) The prevention of and response to emergencies due to food and allergic reactions.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0130(1)(a) The following records must be kept by the provider for at least one year and must be available at all times to OCC: (B) Any chronic health problem(s), including allergies, the child has; (I) Health history of any problems that could affect the child's participation in child care.		The following records must be kept by the provider for at least one year and must be available at all times to OCC: (B) Any chronic health problem(s), including allergies, the child has; (I) Health history of any problems that could affect the child's participation in child care.	
414-205-0130(3) The provider must have a written statement from the parent(s) regarding whether or not the provider is authorized to: (a) Obtain emergency medical treatment for a child.		The provider must have a written statement from the parent(s) regarding whether or not the provider is authorized to: (a) Obtain emergency medical treatment for a child.	

(e) Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water and vehicular traffic.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0010(32) "Useable Exit" means an unobstructed door or window through which the provider and the children can evacuate the home in case of a fire or emergency. Doors must be able to be opened from the inside without a key. (a) For homes built before July 1, 2010, window openings must be at least 20 inches wide and at least 22 inches in height, with a net clear opening of five square feet (at least 720 square inches) and a sill no		"Useable Exit" means an unobstructed door or window through which the provider and the children can evacuate the child care facility in case of a fire or emergency. Doors must be able to be opened from the inside without a key. (a) For facilities built before July 1, 2010, window openings must be at least 20 inches wide and at least 22 inches in height, with a net clear opening of five square feet (at least 720 square inches) and a sill no	

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more than 48 inches above the floor. (b) For homes built after July 1, 2010, window openings must be at least 20 inches wide and at least 24 inches in height, with a net clear opening of five square feet (at least 720 square inches) and a sill no more than 44 inches above the floor.		more than 48 inches above the floor. (b) For facilities built after July 1, 2010, window openings must be at least 20 inches wide and at least 24 inches in height, with a net clear opening of five square feet (at least 720 square inches) and a sill no more than 44 inches above the floor.	
414-205-0100(1)(j) The room temperature must be at least 68°F during the hours the child care business is conducted.		The room temperature must be at least 68°F during the hours the child care business is conducted.	
414-205-0100(1)(k) Rooms occupied by children must have a combination of natural and artificial lighting.		Rooms occupied by children must have a combination of natural and artificial lighting.	
414-205-0100(1)(l) Floors must be free of splinters, large unsealed cracks, sliding rugs and other hazards.		Floors must be free of splinters, large unsealed cracks, sliding rugs and other hazards.	
414-205-0100(12)(a) Potentially aggressive animals must not be in the same physical space as the children.		Potentially aggressive animals must not be in the same physical space as the children.	

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414-205-0110(1) Children shall be protected from fire and safety hazards. Providers must have the following protections in place: (a) All exposed electrical outlets in rooms used by preschool or younger children must have hard-to-remove protective caps or safety devices installed when the outlet is not in use. (b) Extension cords shall not be used as permanent wiring; (c) All appliance cords must be in good condition; (d) Multiple connectors for cords shall not be used; (e) A grounded power strip outlet with a built-in over-current protection may be used;		Children shall be protected from fire and safety hazards. Providers must have the following protections in place: (a) All exposed electrical outlets in rooms used by preschool or younger children must have hard-to-remove protective caps or safety devices installed when the outlet is not in use. (b) Extension cords shall not be used as permanent wiring; (c) All appliance cords must be in good condition; (d) Multiple connectors for cords shall not be used; (e) A grounded power strip outlet with a built-in over-current protection may be used;	
414-205-0110(1) (f) A stable barrier shall be installed to prevent children from falling into hazards, including, but not limited to: fireplaces, heaters and woodstoves that are in use when child care children are present; (g) A secure barrier shall be placed at the top and/or bottom of all stairways accessible to infants and toddlers;	461-165-0180(7)(o)(D) Each fireplace, space heater, electrical outlet, wood stove, stairway, pool, pond, and any other hazard has a barrier to protect a child. Gates and enclosures have the Juvenile Products Manufacturer's Association (JPMA) certification seal to ensure safety.	(f) A stable barrier shall be installed to prevent children from falling into hazards, including, but not limited to: fireplaces, heaters and woodstoves that are in use when child care children are present; (g) A secure barrier shall be placed at the top and/or bottom of all stairways accessible to infants and toddlers;	
414-205-0110(1) (h) A working smoke detector on each floor and in any area where children nap;	461-165-0180(7)(o)(C) The home or facility has a working smoke detector on each floor level and in any area where a child naps.	The home or facility has a working smoke detector on each floor level and in any area where a child naps.	
(i) A working fire extinguisher with a rating of at least 2-A:10-BC;		A working fire extinguisher with a rating of at least 2-A:10-BC;	
(j) Firearms, BB guns, pellet guns and ammunition kept under lock, with ammunition stored and locked separately. Firearms, BB guns and pellet guns must remain unloaded;	461-165-0180(7)(o)(E) Any firearm, ammunition, and other items that may be dangerous to children, including but not limited to alcohol, inhalants, tobacco and e-cigarette products,	Firearms, BB guns, pellet guns and ammunition kept under lock, with ammunition stored and locked separately. Firearms, BB guns and pellet guns must remain unloaded;	

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	... are kept in a secure place out of a child's reach.		
(m) If any preschool age or younger children are in care, poisonous plants must be kept out of the reach of children;		If any preschool age or younger children are in care, poisonous plants must be kept out of the reach of children;	
(n) All clear glass panels in doors clearly marked at child level.		All clear glass panels in doors clearly marked at child level.	
<p>414-205-0110(2)</p> <p>All floor levels used by children must have access to two useable exits, as defined in OAR 414-xxx-0010(32), to the outdoors.</p> <p>(a) If a basement is used for child care purposes, the requirement for two useable exits may be met by one of the following:</p> <p>(A) A sliding glass door or swinging door to the outside and a window that meets the definition of a useable exit; or</p> <p>(B) A window which meets the definition of a useable exit and an internal stairway to ground level that has unobstructed and direct access to the outdoors.</p> <p>(b) If a window, which meets the definition of a useable exit, is used:</p> <p>(A) Steps must be placed under the window to allow children to exit without assistance; and</p> <p>(B) The window must be kept in good working condition.</p> <p>(c) If a window used as an exit has a window well, a mechanism must be in place to allow children to exit the window well.</p>	<p>461-165-0180(7)</p> <p>Each provider must:</p> <p>(o) Ensure that the home or facility where care is provided meets all of the following standards:</p> <p>(A) Each floor level used by a child has two usable exits to the outdoors (a sliding door or window that can be used to evacuate a child is considered a usable exit). If a second floor is used for child care, the provider must have a written plan for evacuating occupants in the event of an emergency.</p>	<p>All floor levels used by children must have access to two useable exits, as defined in OAR 414-xxx-0010(32), to the outdoors.</p> <p>(a) If a basement is used for child care purposes, the requirement for two useable exits may be met by one of the following:</p> <p>(A) A sliding glass door or swinging door to the outside and a window that meets the definition of a useable exit; or</p> <p>(B) A window which meets the definition of a useable exit and an internal stairway to ground level that has unobstructed and direct access to the outdoors.</p> <p>(b) If a window, which meets the definition of a useable exit, is used:</p> <p>(A) Steps must be placed under the window to allow children to exit without assistance; and</p> <p>(B) The window must be kept in good working condition.</p> <p>(c) If a window used as an exit has a window well, a mechanism must be in place to allow children to exit the window well.</p>	
<p>414-205-0110(3)</p> <p>Second floors (does not apply to</p>		(a) Child care children shall not sleep on the second floor or above;	

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<p>providers registered continuously at the same address before 2009, unless the provider has moved the child care license to a new residence):</p> <p>(a) Child care children shall not sleep on the second floor or above;</p> <p>(b) Care shall not be provided for infants and toddlers on the second floor or above;</p> <p>(c) Night care shall not be provided on the second floor or above;</p> <p>(d) Children may be allowed on the second floor to use the bathroom if the only bathroom is on the second floor;</p> <p>(e) Care can be provided for preschool and school-age children on the second floor or above, if:</p> <p>(A) There are two staircases to the ground level and all children are mobile enough to exit safely; or</p> <p>(B) The designated fire marshal has approved the use of the upper floor.</p>		<p>(b) Care shall not be provided for infants and toddlers on the second floor or above;</p> <p>(c) Night care shall not be provided on the second floor or above;</p> <p>(d) Children may be allowed on the second floor to use the bathroom if the only bathroom is on the second floor;</p> <p>(e) Care can be provided for preschool and school-age children on the second floor or above, if:</p> <p>(A) There are two staircases to the ground level and all children are mobile enough to exit safely; or</p> <p>(B) The designated fire marshal has approved the use of the upper floor.</p>	
<p>414-205-0110(5)</p> <p>A telephone in working condition must be in the family child care home.</p>	<p>461-165-0180(7)(o)(G)</p> <p>The home or facility has a telephone in operating condition.</p>	<p>The home or facility has a telephone in operating condition.</p>	
<p>414-205-0110(5)(b)</p> <p>Emergency telephone numbers for fire, ambulance, police and poison control and the provider's home address must be posted in a visible location.</p>		<p>Emergency telephone numbers for fire, ambulance, police and poison control and the facility address must be posted in a visible location.</p>	
<p>414-205-0110(6)</p> <p>The building, grounds, water supply, and toys, equipment and furniture used by children must be maintained in a hazard-free condition.</p>	<p>461-165-0180(7)(o)(F)</p> <p>The building, grounds, any toy, equipment, and furniture are maintained in a clean, sanitary, and hazard free condition.</p>	<p>The building, grounds, water supply, and toys, equipment and furniture used by children must be maintained in a hazard-free condition.</p>	
<p>414-205-0110(6)(a)</p> <p>Broken toys, furniture and equipment must be removed from areas accessible to children.</p>		<p>Broken toys, furniture and equipment must be removed from areas accessible to children.</p>	

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414-205-0110(6)(b) Both the exterior and interior of the home must be maintained in good repair.		Both the exterior and interior of the facility must be maintained in good repair.	
414-205-0110(6)(c) Painted surfaces must be in good condition, both inside and outside, to avoid exposing children to lead paint.		Painted surfaces must be in good condition, both inside and outside, to avoid exposing children to lead paint.	
414-205-0110(6)(d) The provider shall report to OCC any damage to the building that affects the provider's ability to comply with these requirements, within 48 hours after the occurrence.		The provider shall report to OCC any damage to the building that affects the provider's ability to comply with these requirements, within 48 hours after the occurrence.	
414-205-0110(7) If a caregiver is transporting children, the caregiver must have a valid driver's license and proof of appropriate insurance.		If a caregiver is transporting children, the caregiver must have a valid driver's license and proof of appropriate insurance.	
414-205-0110(8) The number of children transported shall not exceed the number of seat belts or child safety systems available in the vehicle.		The number of children transported shall not exceed the number of seat belts or child safety systems available in the vehicle.	
414-205-0110(9) Car seats are to be used for transportation only. Children who arrive at the provider's home asleep in a car seat may remain in the car seat until the child awakens.		Car seats are to be used for transportation only. Children who arrive at the provider's facility asleep in a car seat may remain in the car seat until the child awakens.	
414-205-0110(10) 15-passenger vans shall not be used to transport child care children after January 1, 2018.		15-passenger vans shall not be used to transport child care children after January 1, 2018.	

(f) Prevention of shaken baby syndrome and abusive head trauma.

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RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
<p>414-205-0085(6)</p> <p>The following behaviors by caregivers are prohibited:</p> <p>(a) Using any form of corporal punishment, including, but not limited to: hitting, spanking, slapping, beating, shaking, pinching or other measures that produce physical pain, or threatening to use any form of corporal punishment</p>		<p>The following behaviors by caregivers are prohibited:</p> <p>(a) Using any form of corporal punishment, including, but not limited to: hitting, spanking, slapping, beating, shaking, pinching or other measures that produce physical pain, or threatening to use any form of corporal punishment</p>	

(g) Emergency preparedness and response planning for emergencies resulting from a natural disaster or a man-caused event (such as violence at a child care facility).

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
<p>414-205-0110(4)</p> <p>The provider must have a written plan for evacuating and removing children to a safe location in an emergency. The plan must be posted in the home, familiar to the children and the caregivers, and practiced at least every other month and must include:</p> <p>(a) Procedures for notifying parents or other adults responsible for the children, of the relocation;</p> <p>(b) Procedures to address the needs of individual children, including those with special needs; and</p> <p>(c) An acceptable method to ensure that all children in attendance are accounted for.</p>		<p>The provider must have a written plan for evacuating and removing children to a safe location in an emergency. The plan must be posted in the facility, familiar to the children and the caregivers, and practiced at least every other month and must include:</p> <p>(a) Procedures for notifying parents or other adults responsible for the children, of the relocation;</p> <p>(b) Procedures to address the needs of individual children, including those with special needs; and</p> <p>(c) An acceptable method to ensure that all children in attendance are accounted for.</p>	
<p>414-205-0110(5)(a)</p> <p>Parents must be given the telephone number so they can contact the provider if needed.</p>		<p>Parents must be given the telephone number so they can contact the provider if needed.</p>	

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(h) The handling and storage of hazardous materials and the appropriate disposal of bio-contaminants.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0110(1)(k) Cleaning supplies, paints, matches, lighters, and plastic bags kept under child-safety lock.	461-165-0180(7)(o)(E) ... matches and lighters, ... are kept in a secure place out of a child's reach.	Cleaning supplies, paints, matches, lighters, and plastic bags kept under child-safety lock.	
414-205-0110(1)(l) Other potentially dangerous items, such as medicine, drugs, sharp knives and poisonous and toxic materials kept under child-safety lock.	461-165-0180(7)(o)(E) ... any legally prescribed or over-the-counter medicine, cleaning supplies, paint, plastic bags, and poisonous and toxic materials are kept in a secure place out of a child's reach.	Other potentially dangerous items, such as medicine, drugs, sharp knives and poisonous and toxic materials kept under child-safety lock.	
414-205-0100(2) First aid supplies and a chart or handbook of first aid instructions shall be maintained in one identified place and kept out of reach of children. (a) The first aid supplies shall include: band aids, adhesive tape, sterile gauze pads, soap or sealed antiseptic towelettes or solution to be used as a wound cleaning agent, scissors, disposable plastic gloves for handling blood spills, a solution for disinfecting after a blood spill, a sanitary temperature taking device and CPR mouth guards.		First aid supplies and a chart or handbook of first aid instructions shall be maintained in one identified place and kept out of reach of children. (a) The first aid supplies shall include: band aids, adhesive tape, sterile gauze pads, soap or sealed antiseptic towelettes or solution to be used as a wound cleaning agent, scissors, disposable plastic gloves for handling blood spills, a solution for disinfecting after a blood spill, a sanitary temperature taking device and CPR mouth guards.	
414-205-0120(5) Diaper changing surfaces must be either: (a) Non-absorbent and easily disinfected; (b) Disposed of after each use; or (c) Laundered after each use.		Diaper changing surfaces must be either: (a) Non-absorbent and easily disinfected; (b) Disposed of after each use; or (c) Laundered after each use.	

(i) Appropriate precautions in transporting children.

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RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0110(7) If a caregiver is transporting children, the caregiver must have a valid driver's license and proof of appropriate insurance.		If a caregiver is transporting children, the caregiver must have a valid driver's license and proof of appropriate insurance.	
414-205-0110(8) The number of children transported shall not exceed the number of seat belts or child safety systems available in the vehicle.		The number of children transported shall not exceed the number of seat belts or child safety systems available in the vehicle.	
414-205-0110(9) Car seats are to be used for transportation only. Children who arrive at the provider's home asleep in a car seat may remain in the car seat until the child awakens.		Car seats are to be used for transportation only. Children who arrive at the provider's facility asleep in a car seat may remain in the car seat until the child awakens.	
414-205-0110(10) 15-passenger vans shall not be used to transport child care children after January 1, 2018.		15-passenger vans shall not be used to transport child care children after January 1, 2018.	
414-205-0130(3) The provider must have a written statement from the parent(s) regarding whether or not the provider is authorized to: (c) Take a child on a field trip or other activity outside the home or participate in any water activity; and (d) Transport a child to or from school or allow a child to bus or walk to or from school or home.		The provider must have a written statement from the parent(s) regarding whether or not the provider is authorized to: (c) Take a child on a field trip or other activity outside the facility or participate in any water activity; and (d) Transport a child to or from school or allow a child to bus or walk to or from school or facility.	

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- (I) May include requirements relating to nutrition, access to physical activity or any other subject area determined by the state to be necessary to promote child development or to protect children's health and safety. All of these requirements are optional.

(A) Nutrition.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0055(1) When a person submits a new application for registration as a family child care provider, OCC shall, prior to approving the registration, receive evidence from the person that the person has: (c) A current food handler certification pursuant to ORS 624.570.		When a person submits a new application for listing as a child care provider, OCC shall, prior to approving the registration, receive evidence from the person that the person has: (c) A current food handler certification pursuant to ORS 624.570.	Optional;
414-205-0090(5) The provider must have routines for eating, napping, diapering and toileting, with flexibility to respond to the needs of each child.		The provider must have routines for eating, napping, diapering and toileting, with flexibility to respond to the needs of each child.	Optional
414-205-0100(11) The provider must provide or ensure the availability of meals and snacks appropriate for the ages and needs of the children served.		The provider must provide or ensure the availability of meals and snacks appropriate for the ages and needs of the children served.	All optional
414-205-0100(11)(a) Meals and snacks must be based on the guidelines of the USDA Child Care Food Program.		Meals and snacks must be based on the guidelines of the USDA Child Care Food Program.	
414-205-0100(11)(b) Foods must be stored and maintained at the proper temperature.		Foods must be stored and maintained at the proper temperature.	
414-205-0100(11)(c) Foods must be prepared and served according to the minimum standards for food handler certification.		Foods must be prepared and served according to the minimum standards for food handler certification.	
414-205-0100(11)(d) Infants must be held or sitting up for bottle feeding. Propping bottles is prohibited.		Infants must be held or sitting up for bottle feeding. Propping bottles is prohibited.	

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(B) Access to physical activity.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0090(2) Providers must make available activities, materials, and equipment for both indoor and outdoor play that provide a variety of experiences geared to the ages and abilities of the child(ren).		Providers must make available activities, materials, and equipment for both indoor and outdoor play that provide a variety of experiences geared to the ages and abilities of the child(ren).	
414-205-0090(3) The children's activities must allow choice and develop skills based on each child's age and abilities.		The children's activities must allow choice and develop skills based on each child's age and abilities.	
414-205-0090(4) A balance of active and quiet play must be provided, both indoors and outdoors.		A balance of active and quiet play must be provided, both indoors and outdoors.	

(C) Any other subject area determined by the state to be necessary to promote child development or to protect children's health and safety. All areas optional

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0035(11) The provider or substitute must allow a representative from the Office of Child Care access to the home any time child care children are present.	461-165-0180(7) Each provider must: (q) Provide evidence of compliance with the Department's administrative rules, upon request of Department staff.	The provider or substitute must allow a representative from the Office of Child Care access to the facility any time child care children are present.	
414-205-0035(13) The provider must allow parents or legal guardians of child care children access to the home during the hours their child(ren) are in care.	461-165-0180(7) Each provider must: (l) Allow the custodial parent of a child in his or her care to have immediate access to the child at all times.	The provider must allow parents or legal guardians of child care children access to the facility during the hours their child(ren) are in care.	
414-205-0035(16) The provider must notify parents if there will be a substitute provider and the caregiver's name. In the event of an emergency, a good faith effort will be made to notify parents that a substitute will be caring for the children.		The provider must notify parents if there will be a substitute provider and the caregiver's name. In the event of an emergency, a good faith effort will be made to notify parents that a substitute will be caring for the children.	
414-205-0035(17)		The provider must notify parents if	

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The provider must notify parents if the children will be away from the home for any part of the day for visits, field trips or any other activity off the premises and the name of the caregiver.		the children will be away from the facility for any part of the day for visits, field trips or any other activity off the premises and the name of the caregiver.	
414-205-0040(6) Any visitor to the home or other adult who is not enrolled in the CBR may not have unsupervised access to children.	DHS Rule?	<i>Any visitor to the facility or other adult who is not enrolled in the CBR may not have unsupervised access to children.</i>	
414-205-0075(1)(d) Be physically present when there are children under the age of 36 months playing outside.		Be physically present when there are children under the age of 36 months playing outside.	
414-205-0075(1)(e) Be physically present when kindergarten-age or younger children are playing outside, unless the outside play area is fully fenced and hazard free.		Be physically present when kindergarten-age or younger children are playing outside, unless the outside play area is fully fenced and hazard free.	
414-205-0085(1) The provider must have a written policy on guidance and discipline of child care children. The policy must be simple and understandable to the child, the parent(s) and to substitute providers.		<i>The provider must have a written policy on guidance and discipline of child care children. The policy must be simple and understandable to the child, the parent(s) and to substitute providers.</i>	Necessary?
414-205-0085(2) The written guidance and discipline policy must be given to all parents.		<i>The written guidance and discipline policy must be given to all parents.</i>	Necessary?
414-205-0085(3) The guidance and discipline policy shall: (a) Provide for positive guidance, redirection and the setting of clear boundaries; and (b) Be designed to help the child develop self-control, self-esteem and respect for others.		<i>The guidance and discipline policy shall: (a) Provide for positive guidance, redirection and the setting of clear boundaries; and (b) Be designed to help the child develop self-control, self-esteem and respect for others.</i>	Necessary?
414-205-0085(4) Only providers and substitutes shall provide guidance or		<i>Only providers and substitutes shall provide guidance or discipline to child care children.</i>	Necessary?

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discipline to child care children.			
<p>414-205-0085(5)</p> <p>Guidance and discipline shall be fair, consistently applied, timely and appropriate to the behavior and age of the child. Positive statements or redirection of behaviors shall be used.</p>		<p><i>Guidance and discipline shall be fair, consistently applied, timely and appropriate to the behavior and age of the child. Positive statements or redirection of behaviors shall be used.</i></p>	Necessary?
<p>414-205-0085(6)</p> <p>The following behaviors by caregivers are prohibited:</p> <p>(a) Using any form of corporal punishment, including, but not limited to: hitting, spanking, slapping, beating, shaking, pinching or other measures that produce physical pain, or threatening to use any form of corporal punishment;</p> <p>(b) Using inappropriate forms of restraints, including, but not limited to, tying or binding;</p> <p>(c) Using non-prescription chemicals for discipline or to control behavior;</p> <p>(d) Yelling harshly or using profane or abusive language;</p> <p>(e) Using mental or emotional punishment, including, but not limited to: name calling, ridicule or threats;</p> <p>(f) Confining a child in an enclosed area (e.g. a locked or closed room, closet or box);</p> <p>(g) Withdrawal or the threat of withdrawal of food, rest or bathroom opportunities;</p> <p>(h) Punishing a child for toileting accidents or for refusing to eat food;</p> <p>(i) Engaging in any form of public or private humiliation, rejecting, terrorizing, neglecting or corrupting a child or any form of emotional abuse; and</p>		<p><i>The following behaviors by caregivers are prohibited:</i></p> <p><i>(a) Using any form of corporal punishment, including, but not limited to: hitting, spanking, slapping, beating, shaking, pinching or other measures that produce physical pain, or threatening to use any form of corporal punishment;</i></p> <p><i>(b) Using inappropriate forms of restraints, including, but not limited to, tying or binding;</i></p> <p><i>(c) Using non-prescription chemicals for discipline or to control behavior;</i></p> <p><i>(d) Yelling harshly or using profane or abusive language;</i></p> <p><i>(e) Using mental or emotional punishment, including, but not limited to: name calling, ridicule or threats;</i></p> <p><i>(f) Confining a child in an enclosed area (e.g. a locked or closed room, closet or box);</i></p> <p><i>(g) Withdrawal or the threat of withdrawal of food, rest or bathroom opportunities;</i></p> <p><i>(h) Punishing a child for toileting accidents or for refusing to eat food;</i></p> <p><i>(i) Engaging in any form of public or private humiliation, rejecting, terrorizing, neglecting or corrupting a child or any form of emotional abuse; and</i></p> <p><i>(j) Requiring a child to remain silent or inactive for excessive periods of time or removing a child from</i></p>	Necessary?

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(j) Requiring a child to remain silent or inactive for excessive periods of time or removing a child from activities or the group for excessive periods of time.		<i>activities or the group for excessive periods of time.</i>	
414-205-0085(7) Parental request or permission to use any form of behavior listed in subsection (6) of this rule, does not give the provider or substitute provider permission to do so.		Parental request or permission to use any form of behavior listed in subsection (6) of this rule, does not give the provider or substitute provider permission to do so.	
414-205-0090(6) Child care children shall not be exposed to more than two hours of screen time per day. All media exposure must be developmentally and age appropriate.		Child care children shall not be exposed to more than two hours of screen time per day. All media exposure must be developmentally and age appropriate.	
414-205-0100(1) The home must be a healthy environment for children.		The facility must be a healthy environment for children.	
414-205-0100(1)(a) No person shall smoke or carry any lighted smoking instrument, including an e-cigarette or vaporizer in the family child care home or within ten feet of any entrance, exit, or window that opens or any ventilation intake that serves an enclosed area, during child care hours or when child care children are present. No person shall use smokeless tobacco in the family child care home during child care hours or when child care children are present. No person shall smoke, carry any lighted smoking instrument, including an e-cigarette, or vaporizer or use smokeless tobacco in motor vehicles while child care children are passengers.	461-165-0180(7)(o)(H) No one may smoke or carry any lighted smoking instrument, including e-cigarettes or vaporizers, in the home or facility or within ten feet of any entrance, exit, window that opens, or any ventilation intake that serves an enclosed area, during child care operational hours or anytime child care children are present. No one may use smokeless tobacco in the home or facility during child care operational hours or anytime child care children are present. No one may smoke or carry any lighted smoking instrument, including e-cigarettes and vaporizers, or use smokeless tobacco in motor vehicles while child care children are passengers.	No person shall smoke or carry any lighted smoking instrument, including an e-cigarette or vaporizer in the child care facility or within ten feet of any entrance, exit, or window that opens or any ventilation intake that serves an enclosed area, during child care hours or when child care children are present. No person shall use smokeless tobacco in the child care facility during child care hours or when child care children are present. No person shall smoke, carry any lighted smoking instrument, including an e-cigarette, or vaporizer or use smokeless tobacco in motor vehicles while child care children are passengers.	If this is in DHS Rule – do we need it in our rule?
414-205-0100(1)(b) No one shall consume alcohol on the family child care home premises during child care hours	461-165-0180(7)(o)(I) No one may consume alcohol or use controlled substances (except legally prescribed and over-the-	No one shall consume alcohol on the child care facility premises during child care hours or when child care children are present. No	

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or when child care children are present. No one shall be under the influence of alcohol on the family child care home premises during child care hours or when child care children are present.	counter medications) or marijuana (including medical marijuana) on the premises (see section (11) of this rule) during child care operational hours or anytime child care children are present. No one under the influence of alcohol, controlled substances (except legally prescribed and over-the-counter medications) or marijuana (including medical marijuana) may be on the premises during child care operational hours or anytime child care children are present. No one may consume alcohol or use controlled substances (except legally prescribed and over-the-counter medications) or marijuana (including medical marijuana) in motor vehicles while child care children are passengers.	one shall be under the influence of alcohol on the child care facility premises during child care hours or when child care children are present.	
414-205-0100(1)(c) Notwithstanding OAR 414-205-0000(5), no one shall possess, use or store illegal controlled substances on the family child care home premises. No one shall be under the influence of illegal controlled substances on the family child care home premises.	461-165-0180(7)(o)(L) Controlled substances (except lawfully prescribed and over-the-counter medications), marijuana (including medical marijuana, marijuana edibles, and other products containing marijuana), marijuana plants, derivatives, and associated paraphernalia may not be on the premises during child care operational hours or anytime child care children are present.	No one shall possess, use or store illegal controlled substances on the child care facility premises. No one shall be under the influence of illegal controlled substances on the child care facility premises.	
414-205-0100(1)(d) Notwithstanding OAR 414-205-0000(5), no one shall grow or distribute marijuana on the premises of the registered family child care home. No adults shall use marijuana on the registered family child care home premises during child care hours or when child care children are present.		No one shall grow or distribute marijuana on the premises of the child care facility. No adults shall use marijuana on the child care facility premises during child care hours or when child care children are present.	
414-205-0100(1)(e) No adult under the influence of	461-165-0180(10) Child care providers and any	Child care providers and any individual supervising,	

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marijuana shall have contact with child care children.	<p>individual supervising, transporting, preparing meals, or otherwise working in the proximity of child care children and those completing daily attendance and billing records shall not be under the influence.</p> <p>461-165-0180(11)(b) "Under the influence" means observed abnormal behavior or impairments in mental or physical performance leading a reasonable person to believe the individual has used alcohol, any controlled substances (including lawfully prescribed and over-the-counter medications), marijuana (including medical marijuana), or inhalants that impairs their performance of essential job function or creates a direct threat to child care children or others. Examples of abnormal behaviors include, but are not limited to hallucinations, paranoia, or violent outbursts. Examples of impairments in physical or mental performance include, but are not limited to slurred speech as well as difficulty walking or performing job activities.</p>	<p>transporting, preparing meals, or otherwise working in the proximity of child care children and those completing daily attendance and billing records shall not be under the influence.</p> <p>"Under the influence" means observed abnormal behavior or impairments in mental or physical performance leading a reasonable person to believe the individual has used alcohol, any controlled substances (including lawfully prescribed and over-the-counter medications), marijuana (including medical marijuana), or inhalants that impairs their performance of essential job function or creates a direct threat to child care children or others. Examples of abnormal behaviors include, but are not limited to hallucinations, paranoia, or violent outbursts. Examples of impairments in physical or mental performance include, but are not limited to slurred speech as well as difficulty walking or performing job activities.</p>	
414-205-0100(1)(f) Notwithstanding OAR 414-205-0000(5), marijuana plants shall not be grown or kept on the registered family child care home premises.		Marijuana plants shall not be grown or kept on the child care facility premises.	
414-205-0100(1)(g) All medical marijuana must be kept in its original container if purchased from a dispensary and stored under child safety lock. All medical marijuana derivatives and associated paraphernalia must be stored under child safety lock.		All medical marijuana must be kept in its original container if purchased from a dispensary and stored under child safety lock. All medical marijuana derivatives and associated paraphernalia must be stored under child safety lock.	
414-205-0100(1)(h)		All marijuana, marijuana	

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Effective July 1, 2015, all marijuana, marijuana derivatives and associated paraphernalia must be stored under child safety lock.		derivatives and associated paraphernalia must be stored under child safety lock.	
414-205-0100(1)(j) The room temperature must be at least 68°F during the hours the child care business is conducted.		The room temperature must be at least 68°F during the hours the child care business is conducted.	
414-205-0100(14) Caregivers must be physically present when children are interacting with animals.		Caregivers must be physically present when children are interacting with animals.	
414-205-0100(16) Parents must be made aware of the presence of any animals on the premises.		Parents must be made aware of the presence of any animals on the premises.	
414-205-0100(12) Any animal at the family child care home shall be in good health and be a friendly companion for the children in care.		Any animal at the child care facility shall be in good health and be a friendly companion for the children in care.	
414-205-0140(1) A provider providing night care must: (a) Have a written plan for the care, mutually agreed upon by the parent(s) and the provider; (b) Have a written plan for emergency situations occurring during the night; (c) Be awake for the arrival and departure of each child in night care; and (d) Follow all other applicable rules.		A provider providing night care must: (a) Have a written plan for the care, mutually agreed upon by the parent(s) and the provider; (b) Have a written plan for emergency situations occurring during the night; (c) Be awake for the arrival and departure of each child in night care; and (d) Follow all other applicable rules.	
414-205-0130(1) The following records must be kept by the provider for at least one year and must be available at all times to OCC: (a) Information from the parent(s) for each child at the time of admission: (A) Name and birth date of the child;	461-165-0180(7) Each provider must: (e) Keep daily attendance records showing the arrival and departure times for each child in care and billing records for each child receiving child care benefits from the Department. The provider must keep written records of any attendance that is not able to be	The following records must be kept by the provider for at least one year and must be available at all times to OCC: (a) Information from the parent(s) for each child at the time of admission: (A) Name and birth date of the child; (C) Date child entered care;	

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<p>(C) Date child entered care; (D) Names, work and home telephone numbers and addresses, and the work hours of the parent(s) or legal guardian(s); (E) Name and telephone number of person(s) to contact in an emergency; (F) Name and telephone number of person(s) to whom the child may be released; (G) The name of the school attended by the child care child; and (H) Name, address and telephone number of the child's doctor and dentist. (b) Daily attendance records, including dates each child attended and arrival and departure times for each day. Times shall be recorded as the child care children arrive and depart; (d) Injuries to a child.</p>	<p>recorded in the Child Care Billing and Attendance Tracking (CCBAT) system. These written records must be retained for a minimum of 12 months and provided to the Department upon request.</p>	<p>(D) Names, work and home telephone numbers and addresses, and the work hours of the parent(s) or legal guardian(s); (E) Name and telephone number of person(s) to contact in an emergency; (F) Name and telephone number of person(s) to whom the child may be released; (G) The name of the school attended by the child care child; and (H) Name, address and telephone number of the child's doctor and dentist. (b) Daily attendance records, including dates each child attended and arrival and departure times for each day. Times shall be recorded as the child care children arrive and depart; (d) Injuries to a child.</p>	
<p>414-205-0100(2)(b) A first aid kit and a copy of each child's emergency medical information including a medical release form shall be taken any time the caregiver is transporting child care children or taking child care children on field trips.</p>		<p>A first aid kit and a copy of each child's emergency medical information including a medical release form shall be taken any time the caregiver is transporting child care children or taking child care children on field trips.</p>	
<p>414-205-0035(20) Information provided to OCC on applications, in records or reports, or any other written or verbal communication, shall be current, complete and accurate.</p>		<p>Information provided to OCC on applications, in records or reports, or any other written or verbal communication, shall be current, complete and accurate.</p>	
<p>414-205-0035(17) The provider must notify parents if the children will be away from the home for any part of the day for visits, field trips or any other activity off the premises and the name of the caregiver.</p>		<p>The provider must notify parents if the children will be away from the facility for any part of the day for visits, field trips or any other activity off the premises and the name of the caregiver.</p>	

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414-205-0130(2) Injuries to a child which require attention from a licensed health care professional, such as a physician, EMT or nurse, must be reported to OCC within seven days.		Injuries to a child which require attention from a licensed health care professional, such as a physician, EMT or nurse, must be reported to OCC within seven days.	
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4. COMPLIANCE WITH STATE AND LOCAL HEALTH AND SAFETY REQUIREMENTS

Providers and caregivers are in compliance with all applicable state and local health and safety requirements.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0035(14) The provider must comply with local, state and federal laws related to immunizations, child care restrictable diseases, child safety systems and seat belts in vehicles, bicycle safety, civil rights laws, and the Americans with Disabilities Act.	461-165-0180(7) Each provider must: (s) Comply with state and federal laws related to child safety systems and seat belts in vehicles, bicycle safety, 461-165-0180(7) Each provider must: (m) Inform a parent of the need to obtain immunizations for a child.	The provider must comply with local, state and federal laws related to immunizations, child care restrictable diseases, child safety systems and seat belts in vehicles, bicycle safety, civil rights laws, and the Americans with Disabilities Act.	
414-205-0035(19) Providers shall comply with all conditions placed on their license.		Providers shall comply with all conditions placed on their license.	

5. ENFORCEMENT OF LICENSING AND OTHER REGULATORY REQUIREMENTS

(a) Require LS to perform not less than one precicensure inspection, for compliance with health, safety and fire standards.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0020(8) Providers must satisfactorily complete an on-site health and safety review conducted by OCC prior to issuance of a new, renewal or reopen registration. The review will ensure that the provider is in compliance with the rules related to health, safety and sanitation.		Providers must satisfactorily complete an on-site health and safety review conducted by OCC prior to issuance of a new, renewal or reopen registration. The review will ensure that the provider is in compliance with the rules related to health, safety and sanitation.	

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- (b) Not less than annually, an inspection (which shall be unannounced) of each such child care provide and facility which shall include an inspection for compliance with health, safety and fire standards.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0035(10) OCC staff may conduct an unannounced monitoring visit at least once during the license period.		OCC staff may conduct an unannounced monitoring visit.	
414-205-0160(1)(a) Any and all complaints may result in an on-site assessment at the child care facility.		Any and all complaints may result in an on-site assessment at the child care facility.	
414-205-0160(1) The Office of Child Care will respond to complaints made on registered and illegal providers, and will cooperate with law enforcement or other agencies in response to allegations of child abuse or noncompliance.		The Office of Child Care will respond to complaints made on listed and illegal providers, and will cooperate with law enforcement or other agencies in response to allegations of child abuse or noncompliance.	
414-205-0160(1)(b) All serious complaints will result in an on-site assessment at the family child care home;		All serious complaints will result in an on-site assessment at the child care facility;	

- (c) Require LS to perform an annual inspection of each license-exempt provider in the state receiving funds under this subchapter for compliance with health, safety and fire standards at a time to be determined by the state.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0035(12) The provider shall allow an inspection of all areas of the facility that are accessible to child care children, and a health and safety review of other areas of the facility to ensure the health and safety of child care children.	461-165-0180(7) Each provider must: (d) Allow the Department to inspect the site of care while child care is provided.	The provider shall allow an inspection of all areas of the facility that are accessible to child care children, and a health and safety review of other areas of the facility to ensure the health and safety of child care children.	

6. COMPLIANCE WITH CHILD ABUSE REPORTING REQUIREMENTS

The plan shall include that providers will comply with the child abuse reporting requirements.

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RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0035(15) Any caregiver who has reason to believe that any child has suffered abuse (physical injury, mental injury, neglect that leads to physical harm, sexual abuse and/or exploitation, or threat of harm) must report the information to the Department of Human Services Child Welfare (DHS) or to a law enforcement agency. By statute, this requirement applies 24 hours per day.	461-165-0180(7) Each provider must: (i) Report suspected child abuse of any child in his or her care to CPS or a law enforcement agency.	Any caregiver who has reason to believe that any child has suffered abuse (physical injury, mental injury, neglect that leads to physical harm, sexual abuse and/or exploitation, or threat of harm) must report the information to the Department of Human Services Child Welfare (DHS) or to a law enforcement agency. By statute, this requirement applies 24 hours per day.	
414-205-0160(1)(c) Complaints alleging child abuse or neglect will be reported to the Department of Human Services Child Welfare (DHS) or local law enforcement agencies.		Complaints alleging child abuse or neglect will be reported to the Department of Human Services Child Welfare (DHS) or local law enforcement agencies.	

7. CRIMINAL BACKGROUND CHECKS

The plan shall require that providers and caregivers (including prospective child care staff members) have undergone a criminal background check.

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0040(4) The provider must verify with OCC that the individual is enrolled in the CBR prior to that individual moving into the home, residing on a temporary basis in the home, visiting the home on a regular basis (including overnight visits) or substituting for or assisting the provider. This does not apply to parents of children in care unless they are residing in the home or substituting or assisting the provider. The provider must keep a copy of OCC's confirmation letter for all adults enrolled in the CBR that may have contact with child	461-165-0180(4) This rule (461-165-0180(3)) also establishes additional requirements for the following individuals: (a) The site director of an exempt child care facility and each employee of the facility who may have unsupervised access to a child in care. (b) The child care provider and each individual the provider uses to supervise a child in his or her absence. (c) In the case of a provider who provides care for a child in the provider's home—		

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care children.	<p>(A) Each individual 16 years of age or older who lives in the provider's home; and</p> <p>(B) Each individual who visits the home of the provider during the hours care is provided and may have unsupervised access to a child in care.</p> <p>461-165-0180(6) Each individual described in section (4) of this rule must:</p> <p>(a) Allow the Department to conduct a national criminal history records check through the Oregon State Police and the Federal Bureau of Investigation as specified in OAR 407-007-0250.</p> <p>(b) Provide in a manner specified by the Department, information required to conduct CH, FBI, OSP, and CPS records checks and determine whether the provider meets health and safety requirements.</p> <p>(c) Have a history of behavior that indicates no substantial risk to the health or safety of a child in the care of the provider.</p>		
<p>414-205-0040(7) The provider, substitutes and other individuals that are required to be enrolled in the CBR must maintain current enrollment in the CBR at all times while the child care license is active.</p>		The provider, substitutes and other individuals that are required to have a current DHS background check.	

REGISTERED FAMILY RULES AND DHS LISTED PROVIDER RULES THAT MAY NOT MATCH THE PRESCRIBED CATEGORIES

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1. Purpose

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
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2. Definitions – some of these definitions may not apply

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0010(1) "Caregiver" means any person, including the provider, who cares for the children in the registered family child care home and works directly with the children, providing care, supervision and guidance.		"Caregiver" means any person, including the provider, who cares for the children in the child care facility and works directly with the children, providing care, supervision and guidance.	
414-205-0010(3) "Child Care" means the care, supervision and guidance on a regular basis of a child, unaccompanied by a parent, legal guardian or custodian, during a part of the 24 hours of the day, with or without compensation.		"Child Care" means the care, supervision and guidance on a regular basis of a child, unaccompanied by a parent, legal guardian or custodian, during a part of the 24 hours of the day, with or without compensation.	
414-205-0010(4) "Child Care Child" means a child at least six weeks of age and under 13 years of age, or a child under 18 years of age with special needs. The child does not reside in the home and the provider has supervisory responsibility for the child in the temporary absence of the parent.		"Child Care Child" means a child at least six weeks of age and under 13 years of age, or a child under 18 years of age with special needs. The child does not reside in the facility and the provider has supervisory responsibility for the child in the temporary absence of the parent.	
414-205-0010(5) "Child with Special Needs" means a child under 18 years of age who requires a level of care over and above the norm for their age due to a physical, developmental, behavioral, mental or medical		"Child with Special Needs" means a child under 18 years of age who requires a level of care over and above the norm for their age due to a physical, developmental, behavioral, mental or medical disability.	

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disability.			
414-205-0010(7) "Communicable Disease" means an illness caused by an infectious agent or its toxins.		"Communicable Disease" means an illness caused by an infectious agent or its toxins.	
414-205-0010(8) "Disinfecting" means using a process for destroying or irreversibly inactivating harmful organisms, including bacteria, viruses, germs and fungi.		"Disinfecting" means using a process for destroying or irreversibly inactivating harmful organisms, including bacteria, viruses, germs and fungi.	
414-205-0010(14) "OCC" means the Office of Child Care, Early Learning Division of the Department of Education.		"OCC" means the Office of Child Care, Early Learning Division of the Department of Education.	
414-205-0010(15) "Occasional" means infrequently or intermittently, including but not limited to care that is provided during summer or other holiday breaks when children are not attending school, but not to exceed 70 calendar days in a year.		"Occasional" means infrequently or intermittently, including but not limited to care that is provided during summer or other holiday breaks when children are not attending school, but not to exceed 70 calendar days in a year.	
414-205-0010(16) "Oregon Registry" means the voluntary registry at the Oregon Center for Career Development in Childhood Care and Education at Portland State University that documents the training and education of individuals who work in childhood care and education.		"Oregon Registry" means the voluntary registry at the Oregon Center for Career Development in Childhood Care and Education at Portland State University that documents the training and education of individuals who work in childhood care and education.	
414-205-0010(17) "Outbreak of Communicable Disease" means two cases from separate households associated with a suspected common source.		"Outbreak of Communicable Disease" means two cases from separate households associated with a suspected common source.	
414-205-0010(18) "Premises" means the structure that is identified on the application, including indoors and outdoors and space not directly used for child care.	461-165-0180(11)(a) "Premises" means the home or facility structure and grounds, including indoors and outdoors and space not directly used for child care.	"Premises" means the structure that is identified on the application, including indoors and outdoors and space not directly used for child care.	
414-205-0010(19)		"Preschool-Age Child" means a	

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"Preschool-Age Child" means a child who is 36 months of age up to eligible to attend kindergarten in a public school.		child who is 36 months of age up to eligible to attend kindergarten in a public school.	
414-205-0010(20) "Provider" means a resident of the registered family child care home who is responsible for the children in care; is the children's primary caregiver; and the person whose name is on the certificate of registration.	461-165-0180(7) Each provider must: (f) be the individual or facility listed as providing the child care.	"Provider" means a resident of the registered family child care facility who is responsible for the children in care; is the children's primary caregiver; and the person whose name is on the certificate of registration. be the individual or facility listed as providing the child care.	
414-205-0010(23) "Renewal Application" means a registration application that has been filed by a currently registered family child care provider who wishes to continue registration.	461-065-0180(7) Each provider must: (p) Complete and submit a new listing form every two years, or sooner at the request of the Department, so that the Department may review the provider's eligibility.	Each provider must: (p) Complete and submit a new listing form every two years, or sooner at the request of the Department, so that the Department may review the provider's eligibility.	
414-205-0010(25) "Restrictable Disease" means an illness or infection that would prohibit the child from attending child care.		"Restrictable Disease" means an illness or infection that would prohibit the child from attending child care.	
414-205-0010(26) "Sanitizing" means using a treatment that provides enough heat or concentration of chemicals for enough time to reduce the bacterial count, including disease producing organisms, to a safe level on utensils, equipment and toys.		"Sanitizing" means using a treatment that provides enough heat or concentration of chemicals for enough time to reduce the bacterial count, including disease producing organisms, to a safe level on utensils, equipment and toys.	
414-205-0010(28) "Serious Complaint" means a complaint filed against: (a) A registered family child care provider by a person who alleges that: (A) Children are in imminent danger; (B) There are more children in		"Serious Complaint" means a complaint filed against: (a) A child care provider by a person who alleges that: (A) Children are in imminent danger; (B) There are more children in care than allowed by law; (C) Provider is engaging in	

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<p>care than allowed by law; (C) Provider is engaging in behavior prohibited under OAR 414-205-0085(6); (D) Children are not being supervised; (E) Multiple or serious fire, health or safety hazards are present in the home; (F) Extreme unsanitary conditions are present in the home; or (G) Adults are in the home who are not enrolled in OCC's CBR; or (b) An individual providing child care, as defined by ORS 329A.250(4), who is not a registered family child care provider by a person who has alleged that there are more children in care than allowed by law.</p>		<p>behavior prohibited under OAR 414-205-0085(6); (D) Children are not being supervised; (E) Multiple or serious fire, health or safety hazards are present in the facility; (F) Extreme unsanitary conditions are present in the facility; or (G) Adults are in the facility who are not enrolled in OCC's CBR; or (b) An individual providing child care, as defined by ORS 329A.250(4), who is not a registered family child care provider by a person who has alleged that there are more children in care than allowed by law.</p>	
<p>414-205-0010(29) "Serious Violation" means OCC has made a valid finding when assessing a serious complaint that alleges: (a) Children are in imminent danger; (b) There are more children in care than allowed by law; (c) Provider is engaging in behavior prohibited under OAR 414-205-0085(6); (d) Children are not being supervised; (e) Multiple or serious fire, health or safety hazards are present in the home; (f) Extreme unsanitary conditions are present in the home; or (g) Adults are in the home who are not enrolled in OCC's CBR; or (h) An individual is providing child care as defined by ORS 329A.250(4) without registering</p>		<p>"Serious Violation" means OCC has made a valid finding when assessing a serious complaint that alleges: (a) Children are in imminent danger; (b) There are more children in care than allowed by law; (c) Provider is engaging in behavior prohibited under OAR 414-205-0085(6); (d) Children are not being supervised; (e) Multiple or serious fire, health or safety hazards are present in the facility; (f) Extreme unsanitary conditions are present in the facility; or (g) Adults are in the facility who are not enrolled in OCC's CBR; or (h) An individual is providing child care as defined by ORS 329A.250(4) without registering with the Office of Child Care of the</p>	

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with the Office of Child Care of the Department of Education.		Department of Education.	
414-205-0010(30) "Substitute Provider" means a person who acts as the children's primary caregiver in the registered family child care home in the temporary absence of the provider.	461-165-0180(7)(f) The provider may only use someone else to supervise a child on a temporary basis if the person was included on the most current listing form and the provider notifies the Department's Direct Pay Unit.	"Substitute Provider" means a person who acts as the children's primary caregiver in the child care facility in the temporary absence of the provider. The provider may only use someone else to supervise a child on a temporary basis if the person was included on the most current listing form and the provider notifies the Department's Direct Pay Unit.	

4. General Requirements

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0035(1) The home in which child care is provided must be the residence of the provider.	461-165-0180(7) Each provider must: (h) Report to the Department's Direct Pay Unit within five days of occurrence: (C) any change to the provider's name or address including any location where care is provided.	The facility in which child care is provided must be the residence of the provider. Each provider must: (h) Report to the Department's Direct Pay Unit within five days of occurrence: (C) any change to the provider's name or address including any location where care is provided.	
414-205-0035(3) Registration is limited to one provider per household.		Registration is limited to one provider per household.	
414-205-0035(4) A registration applies to only the person and address on the certificate of registration and is not transferable to another location or individual.		A registration applies to only the person and address on the certificate of registration and is not transferable to another location or individual.	

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414-205-0035(5) The registration is valid for a maximum of two years. The registration period begins with the effective date shown on the certificate of registration. A provider may not care for more than three (3) children, other than the provider's own children, at any one time prior to receiving a certificate of registration from OCC.			
414-205-0035(6) OCC registration records are open to the public on request. However, information protected by state or federal law will not be disclosed.		OCC registration records are open to the public on request. However, information protected by state or federal law will not be disclosed.	
414-205-0035(7) The name, address, telephone number, and registration status of providers is public information. However, OCC may withhold from the public a provider's address and telephone number if the provider makes a written request documenting that disclosure of the address and/or telephone number would endanger him/her or a family member living in the home (OAR 137-004-0800). The request must be on a form supplied by OCC.		The name, address, telephone number, and registration status of providers is public information. However, OCC may withhold from the public a provider's address and telephone number if the provider makes a written request documenting that disclosure of the address and/or telephone number would endanger him/her or a family member living in the facility (OAR 137-004-0800). The request must be on a form supplied by OCC.	
414-205-0035(8) The Certificate of Registration must be posted in the family child care home in an area where it can be viewed by parents.		The Certificate of Registration must be posted in the child care facility in an area where it can be viewed by parents.	
414-205-0035(18) If an applicant or a provider wishes to provide child foster care, the provider must receive approval from OCC and DHS, prior to placement of the foster child(ren).	461-165-0180(7) Each provider must: (a) Obtain written approval from their certifier or certifier's supervisor if the provider is also certified as a foster parent.	If an applicant or a provider wishes to provide child foster care, the provider must receive approval from OCC and DHS, prior to placement of the foster child(ren). Each provider must:	

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		(a) Obtain written approval from their certifier or certifier's supervisor if the provider is also certified as a foster parent.	
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5. The Provider and Other Persons in the Home

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
<p>414-205-0040(8) Prior to substituting for the provider, a caregiver must:</p> <ul style="list-style-type: none"> (a) Be familiar with the requirements for registration and agree to comply with them; (b) Be enrolled in the CBR; (c) Comply with all the requirements placed on the provider, except those in OAR 414-205-0055(1)(a)(d)(e), (2), (3); 			

7. Exceptions to Rules

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
<p>414-205-0150(1) A provider may request an exception to a rule.</p>		A provider may request an exception to a rule.	
<p>414-205-0150(1)(a) An exception must be requested on a form provided by OCC;</p>		An exception must be requested on a form provided by OCC;	
<p>414-205-0150(1)(b) The provider must provide a justification for the requested exception and an explanation of how the provider will ensure, through safeguards or other conditions, the health, safety and well-being of the children.</p>		The provider must provide a justification for the requested exception and an explanation of how the provider will ensure, through safeguards or other conditions, the health, safety and well-being of the children.	
<p>414-205-0150(2) The provider must be in compliance with the rule as written until the provider has received approval for the</p>		The provider must be in compliance with the rule as written until the provider has received approval for the exception from OCC.	

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exception from OCC.			
414-205-0150(4) No exception to a rule shall be granted unless the health, safety, and well-being of the children are ensured.		No exception to a rule shall be granted unless the health, safety, and well-being of the children are ensured.	
414-205-0150(5) An exception is valid only for the specified dates for which it is issued.		An exception is valid only for the specified dates for which it is issued.	
414-205-0150(6) The granting of an exception to a rule shall not set a precedent, and each request shall be evaluated on its own merits.		The granting of an exception to a rule shall not set a precedent, and each request shall be evaluated on its own merits.	

8. Complaints

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0160(2) New applicants for registration will be given a copy of OCC's complaint procedures at the time of the on-site health and safety review. The complaint procedures are also available upon request.		New applicants for will be given a copy of OCC's complaint procedures at the time of the on-site health and safety review. The complaint procedures are also available upon request.	

9. Grievance Review and Sanctions

RF Rules	DHS Rules	Suggested RSP Rules	Yes/No - Suggestions
414-205-0170(1) A provider has the right to a review of any finding made by OCC. New applicants for registration will be given a copy of OCC's findings review procedures at the time of the on-site inspection. Information on the OCC findings review process will be in complaint letters. The OCC findings review procedures are also available upon request.		A provider has the right to a review of any finding made by OCC. New applicants for registration will be given a copy of OCC's findings review procedures at the time of the on-site inspection. Information on the OCC findings review process will be in complaint letters. The OCC findings review procedures are also available upon request.	
414-205-0170(2)	461-165-0180(2)	Registration may be denied,	Refer to DHS Rule only

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Registration may be denied, suspended, or revoked if a provider fails to meet requirements, provide OCC with information requested, allow an inspection, or correct deficiencies.	<p>Ineligibility for payment may result from any of the following:</p> <p>(a) A finding of "denied". A provider may be denied under OAR 461-165-0410 and 461-165-0420. If, after conducting a weighing test as described in OAR 407-007-0210, the Department finds substantial risk to the health or safety of a child in the care of the provider, the provider must be denied and is ineligible for payment. A provider who has been denied has the right to a hearing under OAR 407-007-0330.</p> <p>(b) A finding of "failed". A provider may be failed if the Department determines, based on a specific eligibility requirement and evidence, that a provider does not meet the eligibility requirements of this rule. A provider with a status of "failed" may reapply at any time by providing the required documents and information to the Department for review.</p> <p>(c) The Department has referred an overpayment against the provider for collection and the claim is unsatisfied.</p>	<p>suspended, or revoked if a provider fails to meet requirements, provide OCC with information requested, allow an inspection, or correct deficiencies.</p> <p>Ineligibility for payment may result from any of the following:</p> <p>(a) A finding of "denied". A provider may be denied under OAR 461-165-0410 and 461-165-0420. If, after conducting a weighing test as described in OAR 407-007-0210, the Department finds substantial risk to the health or safety of a child in the care of the provider, the provider must be denied and is ineligible for payment. A provider who has been denied has the right to a hearing under OAR 407-007-0330.</p> <p>(b) A finding of "failed". A provider may be failed if the Department determines, based on a specific eligibility requirement and evidence, that a provider does not meet the eligibility requirements of this rule. A provider with a status of "failed" may reapply at any time by providing the required documents and information to the Department for review.</p> <p>(c) The Department has referred an overpayment against the provider for collection and the claim is unsatisfied.</p>	
414-205-0170(11) The provider has the right to appeal any decision to deny, suspend, or revoke registration or to impose a civil penalty, subject to the provisions of Chapter 183, Oregon Revised Statutes.		The provider has the right to appeal any decision to deny, suspend, or revoke registration or to impose a civil penalty, subject to the provisions of Chapter 183, Oregon Revised Statutes.	

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	<p>461-165-0180(7) Each provider must: (g) Not bill a Department client for an amount collected by the Department to recover an overpayment or an amount paid by the Department to a creditor of the provider because of a lien, garnishment, or other legal process. (h) Report to the Department's Direct Pay Unit within five days of occurrence: (A) Any arrest or conviction of any subject individual or individual described in section (4) of this rule. (B) Any involvement of any subject individual or individual described in section (4) of this rule with CPS or any other agencies providing child or adult protective services. (D) The addition of any subject individual or individual described in section (4) of this rule. (E) Any reason the provider no longer meets the requirements under this rule.</p>	<p>Each provider must: (g) Not bill a Department client for an amount collected by the Department to recover an overpayment or an amount paid by the Department to a creditor of the provider because of a lien, garnishment, or other legal process. (h) Report to the Department's Direct Pay Unit within five days of occurrence: (A) Any arrest or conviction of any subject individual or individual described in section (4) of this rule. (B) Any involvement of any subject individual or individual described in section (4) of this rule with CPS or any other agencies providing child or adult protective services. (D) The addition of any subject individual or individual described in section (4) of this rule. (E) Any reason the provider no longer meets the requirements under this rule.</p>	Refer to DHS Rule only
	<p>461-165-0180(7) Each provider must: (o) Ensure that the home or facility where care is provided meets all of the following standards: (J) Is not a half-way house, hotel, motel, shelter, or other temporary housing such as a tent, trailer, or motor home. The restriction in this paragraph does not apply to licensed (registered or certified) care approved in a hotel, motel, or shelter. (K) Is not a structure: (i) Designed to be transportable;</p>	<p>Each provider must: (o) Ensure that the home or facility where care is provided meets all of the following standards: (J) Is not a half-way house, hotel, motel, shelter, or other temporary housing such as a tent, trailer, or motor home. The restriction in this paragraph does not apply to licensed (registered or certified) care approved in a hotel, motel, or shelter. (K) Is not a structure: (i) Designed to be transportable; and</p>	Refer to DHS rule only

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	and (ii) Not attached to the ground, another structure, or to any utilities system on the same premises.	(ii) Not attached to the ground, another structure, or to any utilities system on the same premises.	
	461-165-0180(7) Each provider must: (r) Complete registration for the CCBAT system within 45 days of the date of the registration notice.		

Addendum 1

TABLE 3A

Age of Children	Minimum Number of Caregivers to Children	Maximum Number of Children in a Group
Six Weeks of Age through 23 Months	1:4	8
24 Months of Age through 35 Months	1:5	10
36 Months of Age to Attending Kindergarten	1:10	20
Attending Kindergarten and Older	1:15	30