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.

Att-205-000(3)(a) Infants shall have a crib, portable crib or playen 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. toxy, pillows or stuffed animals). 461-165-0180(7) Each provider must: (a) Comply with state and federal away related to crib standards from the standards of the crib with the infant (e.g. toxy, pillows or stuffed animals). 414-205-0100(1) The home must be a healthy environment for children. Each provider must: (ii) Take reasonable steps to protect a child in his or her care from the spread of infectious diseases. 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. 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 solution of disinfecting after a blood spill, a solution for disinfecting after a blood spill, a solution of disinfecting after a blood spill, a solution for disinfecting after a blood spill, a solution of disinfecting after a blood spill, a solution of disinfecting after a blood spill, a solution of disinfecting after a blood spill, a solution for disinfecting after a blood spill, a solution of disinfecting after a blood spill, a solution of disinfecting after a blood spill, a solution of disinfecting after a blood spill, a solut				Yes/No - Suggestions
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written approval of the local health office, a child who:				
	office, a child who:		(a) Is diagnosed as having or being	

(a) Is diagnosed as having or being	a carrier of a child care restrictable
a carrier of a child care restrictable	disease, as defined in Oregon
disease, as defined in Oregon	Health Authority administrative
Health Authority administrative	rule: or
rule; or	(b) Has one of the following
(b) Has one of the following	symptoms or combination of
symptoms or combination of	symptoms or illness;
symptoms or illness;	(A) Fever over 100°F, taken under
(A) Fever over 100°F, taken under	the arm;
the arm;	(B) Diarrhea (more than one
(B) Diarrhea (more than one	abnormally loose, runny, watery or
abnormally loose, runny, watery or	bloody stool);
bloody stool);	(C) Vomiting;
(C) Vomiting;	(D) Nausea;
(D) Nausea;	(E) Severe cough;
(E) Severe cough;	(F) Unusual yellow color to skin or
(F) Unusual yellow color to skin or	eyes;
eyes;	(G) Skin or eye lesions or rashes
(G) Skin or eye lesions or rashes	that are severe, weeping or pus-
that are severe, weeping or pus-	filled;
filled;	(H) Stiff neck and headache with
(H) Stiff neck and headache with	one or more of the symptoms
one or more of the symptoms	listed above;
listed above;	(I) Difficulty breathing or
(I) Difficulty breathing or	abnormal wheezing;
abnormal wheezing;	(1) Complaints of severe pain.
([) Complaints of severe pain.	() complained of service pains
414-205-0100(4)(b)	A child, who, after being admitted
A child, who, after being admitted	into child care, shows signs of
into child care, shows signs of	illness, as defined in this rule, shall
illness, as defined in this rule, shall	be separated from the other
be separated from the other	children, and the parent(s) notified
children, and the parent(s) notified	and asked to remove the child from
and asked to remove the child from	the child care facility as soon as
the provider's home as soon as	possible.
possible.	
414-205-0100(5)	If a child has mild cold symptoms
If a child has mild cold symptoms	that do not impair his/her normal
that do not impair his/her normal	functioning, the child may remain
functioning, the child may remain	in the child care facility and the
in the provider's home and the	parent(s) notified when they pick
parent(s) notified when they pick	up their child.
up their child.	
414-205-0100(6)	Parents must be notified if their
Parents must be notified if their	child is exposed to an outbreak of a

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

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.		Diaper changing surfaces must be either: (a) Non-absorbent and easily disinfected; (b) Disposed of after each use; or (c) Laundered after each use.	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.		The diaper changing area shall be located so that hand washing can occur immediately after diapering without contacting other surfaces or children.	
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.		Wading pools are prohibited for wading.	Should we have this rule for RSP – family care?

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

			Yes/No - Suggestions
RF Rules	DHS Rules	Suggested RSP Rules	103/110 Suggestions
414-205-0075(1)	461-165-0180(7)	The provider or a substitute	
The provider or a substitute	Each provider must:	provider is responsible for the	
provider is responsible for the	(j) Supervise each child in care at	children in care. At all times the	
children in care. At all times the	all times.	provider or substitute provider	
provider or substitute provider		must:	
must:		(a) Be within sight or sound of all	
(a) Be within sight or sound of all		children;	
children;		(b) Be aware of what each child is	
(b) Be aware of what each child is		doing;	
doing;		(c) Be near enough to children to	
(c) Be near enough to children to		respond when needed;	
respond when needed;			
414-205-0090(1)		The provider must give the	
The provider must give the		children's needs first priority,	
children's needs first priority,		assuring that they get adequate	
assuring that they get adequate		care and attention.	
care and attention.			
414-205-0090(5)		The provider must have routines	
The provider must have routines		for eating, napping, diapering and	
for eating, napping, diapering and		toileting, with flexibility to respond	
toileting, with flexibility to respond		to the needs of each child.	
to the needs of each child.			
414-205-0090(5)(a)		An individual bed, mat or cot with	
An individual bed, mat or cot with		individual bedding appropriate to	
individual bedding appropriate to		the season shall be provided at nap	
the season shall be provided at nap		time for each toddler and	
time for each toddler and		preschool-age child in the facility	
preschool-age child in the home		and for each school-age child who	
and for each school-age child who		wants to rest.	
wants to rest.			
414-205-0090(5)(a)(A)		Family beds or sofas may be used	
Family beds or sofas may be used		with individual bedding	
with individual bedding		appropriate to the season.	
appropriate to the season.			
414-205-0090(5)(a)(B)		If the parent(s) so request, siblings	
If the parent(s) so request, siblings		may share the same bed.	
may share the same bed.			
414-205-0090(5)(a)(C)		The upper level of bunk beds shall	
The upper level of bunk beds shall		not be used for children under ten	
not be used for children under ten		years of age.	
years of age.			

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, nonabsorbent 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.	

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

414 205 0100(0)(4)	D	
414-205-0100(9)(d)	Providers must reapply	
Providers must reapply sunscreen	every two hours while the	
every two hours while the child	care children are expose	d to the
care children are exposed to the	sun.	
sun.		
414-205-0100(9)(e)	Providers shall use a sur	screen
Providers shall use a sunscreen	with an SPF of 15 or high	
with an SPF of 15 or higher and	must be labeled as "Broa	
O O		u
must be labeled as "Broad	Spectrum".	
Spectrum".		
414-205-0100(9)(f)	Providers shall not use a	erosol
Providers shall not use aerosol	sunscreens on child care	children.
sunscreens on child care children.		
414-205-0100(9)(g)	Sunscreen shall not be u	sed on
Sunscreen shall not be used on	child care children youn	
child care children younger than	six months.	Ser citati
	SIX IIIOIIUIS.	
six months.	01:11	
414-205-0100(9)(h)	Child care children over	
Child care children over six years	of age may apply sunscr	
of age may apply sunscreen to	themselves under the di	
themselves under the direct	supervision of the provi	ler or staff
supervision of the provider or staff	member.	
member.		
414-205-0100(10)	Parents must be informed	d daily of
Parents must be informed daily of	any medications given to	
any medications given to their	child or any injuries thei	
	had.	Ciliu lias
child or any injuries their child has	nau.	
had.		
414-205-0130(1)	The following records m	
The following records must be kept	by the provider for at lea	
by the provider for at least one	year and must be availal	le at all
year and must be available at all	times to OCC:	
times to OCC:	(c) Medications adminis	ered.
(c) Medications administered,	including the child's nan	
including the child's name, and the	date and time of dosage	
date and time of dosage and the	dosage amount.	mu the
O O	uosage amount.	
dosage amount.	mt +1 +1	200
414-205-0130(3)	The provider must have	
The provider must have a written	statement from the pare	
statement from the parent(s)	regarding whether or no	
regarding whether or not the	provider is authorized to	:
provider is authorized to:	(a) Administer medication	ons to a
(a) Administer medications to a	child.	
child.		
O.I.I.G.		l .

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

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

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

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

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; 414-205-0110(1)	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. 461-165-0180(7)(o)(C)	(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; The home or facility has a working	
(h) A working smoke detector on each floor and in any area where children nap; (i) A working fire extinguisher with	The home or facility has a working smoke detector on each floor level and in any area where a child naps.	smoke detector on each floor level and in any area where a child naps. A working fire extinguisher with a	
a rating of at least 2-A:10-BC; (j) Firearms, BB guns, pellet guns and ammunition kept under lock,	461-165-0180(7)(o)(E) Any firearm, ammunition, and	rating of at least 2-A:10-BC; Firearms, BB guns, pellet guns and ammunition kept under lock, with	
with ammunition stored and locked separately. Firearms, BB guns and pellet guns must remain unloaded;	other items that may be dangerous to children, including but not limited to alcohol, inhalants, tobacco and e-cigarette products,	ammunition stored and locked separately. Firearms, BB guns and pellet guns must remain unloaded;	

(m) If any preschool age or	are kept in a secure place out of a child's reach.	If any preschool age or younger	
younger children are in care, poisonous plants must be kept out of the reach of children;		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.	
All floor levels used by children must have access to two useable exits, as defined in OAR 414-xxx-0010(32), to the outdoors. (a) If a basement is used for child care purposes, the requirement for two useable exits may be met by one of the following: (A) A sliding glass door or swinging door to the outside and a window that meets the definition of a useable exit; or (B) A window which meets the definition of a useable exit; or (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. (b) If a window, which meets the definition of a useable exit, is used: (A) Steps must be placed under the window to allow children to exit without assistance; and (B) The window must be kept in good working condition. (c) If a window well, a mechanism must be in place to allow children to exit the window well.	461-165-0180(7) Each provider must: (o) Ensure that the home or facility where care is provided meets all of the following standards: (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.	All floor levels used by children must have access to two useable exits, as defined in OAR 414-xxx-0010(32), to the outdoors. (a) If a basement is used for child care purposes, the requirement for two useable exits may be met by one of the following: (A) A sliding glass door or swinging door to the outside and a window that meets the definition of a useable exit; or (B) A window which meets the definition of a useable exit; or (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. (b) If a window, which meets the definition of a useable exit, is used: (A) Steps must be placed under the window to allow children to exit without assistance; and (B) The window must be kept in good working condition. (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.	
414-205-0110(3) Second floors (does not apply to		(a) Child care children shall not sleep on the second floor or above;	

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

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.

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

(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).

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

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

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

(i) Appropriate precautions in transporting children.

RF Rules 414-205-0110(7) If a caregiver is transporting	
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.	
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.	
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 seat belts or child safety systems available in the vehicle.	
appropriate insurance. 414-205-0110(8) The number of children transported shall not exceed the 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. 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. Transported shall not exceed the number of seat belts or child safety systems available in the vehicle.	
transported shall not exceed the number of seat belts or child safety systems available in the vehicle. number of seat belts or child safety systems available in the vehicle.	
number of seat belts or child safety systems available in the vehicle. systems available in the vehicle.	
systems available in the vehicle.	
414-205-0110(9) Car seats are to be used for	
Car seats are to be used for transportation only. Children who	
transportation only. Children who arrive at the provider's facility	
arrive at the provider's home asleep in a car seat may remain in	
asleep in a car seat may remain in the car seat until the child	
the car seat until the child awakens.	
awakens.	
414-205-0110(10) 15-passenger vans shall not be	
15-passenger vans shall not be used to transport child care	
used to transport child care children after January 1, 2018.	
children after January 1, 2018.	
414-205-0130(3) The provider must have a written	
The provider must have a written statement from the parent(s)	
statement from the parent(s) regarding whether or not the	
regarding whether or not the provider is authorized to:	
provider is authorized to: (c) Take a child on a field trip or	
(c) Take a child on a field trip or other activity outside the facility or	
other activity outside the home or participate in any water activity;	
participate in any water activity; and	
and (d) Transport a child to or from	
(d) Transport a child to or from school or allow a child to bus or	
school or allow a child to bus or walk to or from school or facility.	
walk to or from school or home.	

(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.

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

(B) Access to physical activity.

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

			Yes/No - Suggestions
RF Rules	DHS Rules	Suggested RSP Rules	, 30
414-205-0035(11)	461-165-0180(7)	The provider or substitute must	
The provider or substitute must	Each provider must:	allow a representative from the	
allow a representative from the	(q) Provide evidence of compliance	Office of Child Care access to the	
Office of Child Care access to the	with the Department's	facility any time child care children	
home any time child care children	administrative rules, upon request	are present.	
are present.	of Department staff.		
414-205-0035(13)	461-165-0180(7)	The provider must allow parents	
The provider must allow parents	Each provider must:	or legal guardians of child care	
or legal guardians of child care	(l) Allow the custodial parent of a	children access to the facility	
children access to the home during	child in his or her care to have	during the hours their child(ren)	
the hours their child(ren) are in	immediate access to the child at all	are in care.	
care.	times.		
414-205-0035(16)		The provider must notify parents if	
The provider must notify parents if		there will be a substitute provider	
there will be a substitute provider		and the caregiver's name. In the	
and the caregiver's name. In the		event of an emergency, a good faith	
event of an emergency, a good faith		effort will be made to notify	
effort will be made to notify		parents that a substitute will be	
parents that a substitute will be		caring for the children.	
caring for the children.			
414-205-0035(17)		The provider must notify parents if	

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. 414-205-0040(6)	DHS Rule?	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. Any visitor to the facility or other	
Any visitor to the home or other adult who is not enrolled in the CBR may not have unsupervised access to children.	Did Rule.	adult who is not enrolled in the CBR may not have unsupervised access to children.	
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.		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.	Necessary?
414-205-0085(2) The written guidance and discipline policy must be given to all parents.		The written guidance and discipline policy must be given to all parents.	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.		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.	Necessary?
414-205-0085(4) Only providers and substitutes shall provide guidance or		Only providers and substitutes shall provide guidance or discipline to child care children.	Necessary?

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

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

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,	

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

Effective July 1, 2015, all marijuana, marijuana derivatives and associated paraphernalia must be stored under child safety lock. 414-205-0100(1)(j)		derivatives and associated paraphernalia must be stored under child safety lock. The room temperature must be at	
The room temperature must be at least 68°F during the hours the child care business is conducted.		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;	

(0) D : 1:11 : 1	1 11 1 011110 5.77	(D) V 1 11	
(C) Date child entered care;	recorded in the Child Care Billing	(D) Names, work and home	
(D) Names, work and home	and Attendance Tracking (CCBAT)	telephone numbers and addresses,	
telephone numbers and addresses,	system. These written records	and the work hours of the	
and the work hours of the	must be retained for a minimum of	parent(s) or legal guardian(s);	
<pre>parent(s) or legal guardian(s);</pre>	12 months and provided to the	(E) Name and telephone number of	
(E) Name and telephone number of	Department upon request.	person(s) to contact in an	
person(s) to contact in an		emergency;	
emergency;		(F) Name and telephone number of	
(F) Name and telephone number of		person(s) to whom the child may	
person(s) to whom the child may		be released;	
be released;		(G) The name of the school	
(G) The name of the school		attended by the child care child;	
attended by the child care child;		and	
and		(H) Name, address and telephone	
(H) Name, address and telephone		number of the child's doctor and	
number of the child's doctor and		dentist.	
dentist.		(b) Daily attendance records,	
(b) Daily attendance records,		including dates each child attended	
including dates each child attended		and arrival and departure times for	
and arrival and departure times for		each day. Times shall be recorded	
each day. Times shall be recorded		as the child care children arrive	
as the child care children arrive		and depart;	
and depart;		(d) Injuries to a child.	
(d) Injuries to a child.		(a) injuries to a clina.	
414-205-0100(2)(b)		A first aid kit and a copy of each	
A first aid kit and a copy of each		child's emergency medical	
child's emergency medical		information including a medical	
information including a medical		release form shall be taken any	
release form shall be taken any		time the caregiver is transporting	
time the caregiver is transporting		child care children or taking child	
child care children or taking child		care children on field trips.	
care children on field trips.		care emittren on neitt trips.	
414-205-0035(20)		Information provided to OCC on	
Information provided to OCC on		applications, in records or reports,	
applications, in records or reports,		or any other written or verbal	
or any other written or verbal		communication, shall be current,	
communication, shall be current,		complete and accurate.	
complete and accurate.		complete and accurate.	
414-205-0035(17)		The provider must notify parents if	
The provider must notify parents if the children will be away from the		the children will be away from the	
		facility for any part of the day for	
home for any part of the day for		visits, field trips or any other	
visits, field trips or any other		activity off the premises and the	
activity off the premises and the		name of the caregiver.	
name of the caregiver.			

414-205-0130(2)	Injuries to a child which require	
Injuries to a child which require	attention from a licensed health	
attention from a licensed health	care professional, such as a	
care professional, such as a	physician, EMT or nurse, must be	
physician, EMT or nurse, must be	reported to OCC within seven days.	
reported to OCC within seven days.	•	

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.

			Yes/No - Suggestions
RF Rules	DHS Rules	Suggested RSP Rules	, 55
414-205-0035(14)	461-165-0180(7)	The provider must comply with	
The provider must comply with	Each provider must:	local, state and federal laws related	
local, state and federal laws related	(s) Comply with state and federal	to immunizations, child care	
to immunizations, child care	laws related to child safety systems	restrictable diseases, child safety	
restrictable diseases, child safety	and seat belts in vehicles, bicycle	systems and seat belts in vehicles,	
systems and seat belts in vehicles,	safety,	bicycle safety, civil rights laws, and	
bicycle safety, civil rights laws, and		the Americans with Disabilities	
the Americans with Disabilities	461-165-0180(7)	Act.	
Act.	Each provider must:		
	(m) Inform a parent of the need to		
	obtain immunizations for a child.		
414-205-0035(19)		Providers shall comply with all	
Providers shall comply with all		conditions placed on their license.	
conditions placed on their license.			

5. ENFORCEMENT OF LICENSING AND OTHER REGULATORY REQUIREMENTS

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

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

(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	Dn3 Rules	OCC staff may conduct an unannounced monitoring visit.	
unannounced monitoring visit at least once during the license			
period. 414-205-0160(1)(a)		Any and all complaints may result	
Any and all complaints may result in an on-site assessment at the		in an on-site assessment at the child care facility.	
child care facility. 414-205-0160(1) The Office of Child Care will		The Office of Child Care will respond to complaints made on	
respond to complaints made on registered and illegal providers,		listed and illegal providers, and will cooperate with law	
and will cooperate with law enforcement or other agencies in		enforcement or other agencies in response to allegations of child	
response to allegations of child abuse or noncompliance.		abuse or noncompliance.	
414-205-0160(1)(b) All serious complaints will result in		All serious complaints will result in an on-site assessment at the child	
an on-site assessment at the family child care home;		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.

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

6. COMPLIANCE WITH CHILD ABUSE REPORTING REQUIREMENTS

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

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

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

care children.	(A) Each individual 16 years of age		
	or older who lives in the provider's		
	home; and		
	(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.		
	461-165-0180(6)		
	Each individual described in		
	section (4) of this rule must:		
	(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.		
	(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.		
	(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.		
414-205-0040(7)		The provider, substitutes and other	
The provider, substitutes and other		individuals that are required to	
individuals that are required to be		have a current DHS background	
enrolled in the CBR must maintain		check.	
current enrollment in the CBR at			
all times while the child care			
license is active.			
HUTHST IS ALLIVE.			

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

1. Purpose

			Yes/No - Suggestions
RF Rules	DHS Rules	Suggested RSP Rules	

2. Definitions – some of these definitions may not apply

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

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

"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.	
"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	

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

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

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

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:	

	written approval from ier or certifier's	
supervisor	if the provider is also	
certified as	s a foster parent.	

5. The Provider and Other Persons in the Home

			Yes/No - Suggestions
RF Rules	DHS Rules	Suggested RSP Rules	
414-205-0040(8)			
Prior to substituting for the			
provider, a caregiver must:			
(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

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

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

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

9. Grievance Review and Sanctions

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

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

461-165-0180(7)	Each provider must:	Refer to DHS Rule only
Each provider must:	(g) Not bill a Department client	Note: to 2110 Italic Only
(g) Not bill a Department client	for an amount collected by the	
for an amount collected by the	Department to recover an	
Department to recover an	overpayment or an amount paid	
overpayment or an amount paid	by the Department to a creditor of	
by the Department to a creditor of	the provider because of a lien,	
the provider because of a lien,	garnishment, or other legal process.	
garnishment, or other legal	*	
process.	(h) Report to the Department's	
(h) Report to the Department's	Direct Pay Unit within five days of	
Direct Pay Unit within five days of	occurrence:	
occurrence:	(A) Any arrest or conviction of any	
(A) Any arrest or conviction of any	subject individual or individual	
subject individual or individual	described in section (4) of this	
described in section (4) of this	rule.	
rule.	(B) Any involvement of any	
(B) Any involvement of any	subject individual or individual	
subject individual or individual	described in section (4) of this	
described in section (4) of this	rule with CPS or any other	
rule with CPS or any other	agencies providing child or adult	
agencies providing child or adult	protective services.	
protective services.	(D) The addition of any subject	
(D) The addition of any subject	individual or individual described	
individual or individual described	in section (4) of this rule.	
in section (4) of this rule.	(E) Any reason the provider no	
(E) Any reason the provider no	longer meets the requirements	
longer meets the requirements	under this rule.	
under this rule.		
461-165-0180(7)	Each provider must:	Refer to DHS rule only
Each provider must:	(o) Ensure that the home or	
(o) Ensure that the home or	facility where care is provided	
facility where care is provided	meets all of the following	
meets all of the following	standards:	
standards:	(J) Is not a half-way house, hotel,	
(J) Is not a half-way house, hotel,	motel, shelter, or other temporary	
motel, shelter, or other temporary	housing such as a tent, trailer, or	
housing such as a tent, trailer, or	motor home. The restriction in	
motor home. The restriction in	this paragraph does not apply to	
this paragraph does not apply to	licensed (registered or certified)	
licensed (registered or certified)	care approved in a hotel, motel, or	
care approved in a hotel, motel, or	shelter.	
shelter.	(K) Is not a structure:	
(K) Is not a structure:	(i) Designed to be transportable;	
(i) Designed to be transportable;	and	

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