

414-350-0050**General Requirements**

(1) The following items shall be posted in the certified family child care home where they may be clearly viewed by parents:

(f) Providers must post all serious valid complaint and serious non-compliance letters for 12 months.

~~(2) Providers must post all serious valid complaint and serious non-compliance letters for 12 calendar months.~~

(17) The Office of Child Care may notify parent(s) or guardian(s) of children under 12 months of age enrolled in the certified family child care home of any valid non-compliance with regulations for safe sleep included in OAR 414-350-0220(7).

414-350-0165**Testing for Lead in Drinking Water**

The rules for testing water for lead have been moved to this new section. The content of the rules has not changed.

(1) For purposes of this rule, “drinking water faucet or fixture”

(a) means any plumbing fixture on the premises used to obtain water for drinking, cooking, preparing infant formula, or preparing food; and

(b) does not include any plumbing fixture used to obtain water for handwashing, bathing, or diaper changing.

(2) Water obtained from fixtures identified in subsection (1)(b) of this rule cannot be used for drinking, cooking, preparing infant formula, or preparing food.

(3) Initial Testing

(a) Any provider with an active certificate as of September 30, 2018 must test each drinking water faucet or fixture for lead by November 30, 2018.

(b) The following providers must test each drinking water faucet or fixture for lead in the water prior to being eligible to receive a license from OCC:

(1) Any provider with a pending certificate application as of September 30, 2018; and

(2) Any provider applying for a certificate on or after September 30, 2018, including, but not limited to, initial applications, renewal applications, and reopen applications.

(c) A provider identified in subsection (3)(a) or (b) does not need to conduct the initial testing if:

(1) All drinking water faucets or fixtures have been tested within 6 years prior to the effective date of this rule; and

(2) The testing was conducted in accordance with the requirements of subsection (5) of this rule.

(d) A provider identified in subsection (3)(a) must submit all test results to OCC no later than November 30, 2018. The test results must be accompanied by a floor plan or map of the facility that identifies the location of each drinking water faucet or fixture tested.

(e) A provider identified in (3)(b) must submit test results to OCC within 10 calendar days of the facility receiving the results from the laboratory. The test results must be accompanied by a floor plan or map of the facility that identifies the location of each drinking water faucet or fixture tested.

(4) Ongoing Testing

(a) After a provider conducts the initial testing under subsection (3) of this rule, the provider must test all drinking water faucets or fixtures at least once every six years from the date of the last test.

(b) All test results obtained in accordance with subsection (4)(a) of this rule must be submitted to OCC within 10 calendar days of the provider receiving the results from the laboratory. The test results must be accompanied by a floor plan or map of the facility that identifies the location of each drinking water faucet or fixture tested.

(5) Sampling and Testing

(a) All sample collection and testing must be in accordance with the Environmental Protection Agency (EPA)'s 3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities, Revised Manual from October 2018, adopted by reference.

(b) All testing must be performed by a laboratory accredited by the Oregon Laboratory Accreditation Program according to standards set under OAR chapter 333, division 64 in effect as of September 30, 2018.

(c) If a facility does not use any of the on-site plumbing fixtures to obtain water for drinking, cooking, preparing infant formula, or preparing food, the provider must:

(A) Submit a written statement to OCC identifying the alternative source of water and confirming that the provider does not use any on-site plumbing fixtures for drinking, cooking, preparing infant formula, or preparing food; and

(B) Notify OCC in writing if the alternative source of water changes.

(6) Results

(a) If test results show that water from any drinking water faucet or fixture has 15 parts per billion (ppb) or more of lead, the provider must:

(A) Prevent access to that drinking water faucet or fixture immediately after receiving the test results; and

(B) Continue to prevent access to that drinking water faucet or fixture until mitigation is completed in accordance with subsection (6)(b) of this rule.

(b) Following receipt of test results showing that water from any drinking water faucet or fixture has 15 parts per billion (ppb) or more of lead, the provider must:

(A) Submit a corrective action plan to OCC for approval within 60 days of receiving the test results. The corrective action plan must identify an appropriate mitigation strategy in accordance with Module 6 of the EPA's 3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities, Revised Manual from October 2018, adopted by reference; and

(B) Implement the mitigation method within 30 days of approval by OCC.

(7) Recordkeeping and Posting

(a) The provider must keep a copy of the most recent lead test results on-site at all times.

(b) The provider must post the most recent lead test results summary provided by OCC in an area of the facility where the summary can be clearly viewed by parents. The provider must post the lead test results summary immediately after receiving the summary from OCC.

(8) Providers must follow the routine practices identified in Module 6 of the EPA's 3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities, Revised Manual from October 2018, adopted by reference, at all times.

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General Requirements

(7) The following safe sleep practices must be followed:

(h) There shall be no items in the crib, [portable crib](#), [bassinet](#) or [playpen](#) with the infant, except a pacifier (e.g. bottles, toys, pillows, stuffed animals, blankets, bumpers);

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Infant and Toddler Furniture and Equipment

~~(6) Car seats are to be used for transportation purposes only. Children who arrive at the home asleep in a car seat may remain in the car seat until they awake.~~