

## 1903 CHILD CARE LICENSE-EXEMPT SERVICES

Chapter: **Services for Children, Youth, and Families**

Section: **Community-Based Services**



New Hampshire Division for Children, Youth and Families Policy Manual

Policy Directive: **06-04**

Effective Date: **March 6, 2006**

Scheduled Review Date:

Approved:

A handwritten signature in black ink that reads "Maggie Bishop".

Maggie Bishop, DCYF Director

Related Statute(s): [RSA 169-C](#), [RSA 170-G](#), [RSA 170-E](#), and [RSA 186-C](#)

Related Admin Rule(s): [He-C 6352](#), [He-C 6910](#), and [He-C 6920](#)

Related Federal Regulation(s):

Related Form(s): **FORM 2152**

Bridges' Screen(s) and Attachment(s):

### Purpose

To define the specifications for preventive and protective Child Care License-Exempt.

### Definitions

**"Child Care License-Exempt"** services mean caring for a child's need for food, activity, rest and other necessities of growth, development, and physical care for a portion of the 24-hour day in a non-licensed setting approved by DCYF.

**"Service Code"** is LP.

**"Service Unit"** means part-time one to 6 hours per day or full-time 6 hours or more per day.

### Policy

#### Service Population

- I. Child Care License Exempt may be authorized for children age birth through 12 years, including:
  - A. Children who remain in the parent's home and the family is involved in a founded report of abuse or neglect, pursuant to RSA 169-C:3 XIII-a;
  - B. Children who remain in the parent's home and child care is provided to prevent child abuse or neglect, to rehabilitate the family, or to reunite the family; and
  - C. Children who are diagnosed by a physician, psychiatrist or psychologist as being physically, mentally or emotionally handicapped and who do not meet the requirements for an educationally disabled child, pursuant to RSA 186-C:2.

#### Provider Qualifications

- I. A provider of child care must be:
  - A. A license-exempt Family Child Care provider as defined by RSA 170-E:3; or
  - B. An individual located in another state who meets the requirements for a license- exempt child care provider.
- II. A licensed foster parent must not provide or be reimbursed for child care services for foster children or other children who reside on a full-time basis in his or her foster home.

III. Each provider for child care services must:

- A. Provide a safe and healthy environment and be able to recognize and prevent hazards to the child's health and safety;
- B. Provide regular activities including meals, snacks, rest, toileting, and indoor and outdoor play appropriate to the age level of the child in care;
- C. At no time use corporal punishment or any other kind of punishment which is frightening, humiliating, or otherwise detrimental to the child's development;
- D. Not associate punishment with food, rest or toilet training;
- E. Serve nutritious meals and snacks;
- F. Ensure that sound health practices are followed;
- G. Maintain a valid driver's license and have no alcohol or drug related driving convictions for each provider who transports children to child care activities;
- H. Maintain on file the following information on each child:
  - 1. Parent's or guardian's name, address, and telephone number;
  - 2. Child's name, age, habits, routines, medical history, and special medical considerations;
  - 3. Emergency information for reaching a parent or substitute caregiver;
  - 4. The names of persons authorized to take the child from the child care environment; and
  - 5. DCYF service authorization forms and corresponding billing records;
- I. Maintain attendance records, which reflect the hours attended by each child;
- J. Support the child's relationship with parents or caregivers by regularly sharing information about the needs and progress of the child in care;
- K. Support the "Case Plan" by sharing information on the child's progress with DCYF; and
- L. Submit to a child abuse and neglect state registry and state criminal records check pursuant to RSA 170-E:3-a and 170-E:7.

IV. In addition to the requirements above, a license-exempt child care provider must:

- A. Care for no more than 3 unrelated children, regularly for any part of the day, but less than 24 hours;
- B. Be at least 21 years of age;
- C. Be able to read and write;

- D. Be in good health and have been examined by a licensed physician within one year prior to applying for certification as a child care provider, and be examined every 3 years thereafter;
- E. Submit the "Medical Information Statement" (Form 2152) verifying health status from a medical professional at the time of application for certification and re-certification for payment;
- F. Provide the names of references, at the time of application for certification, from 3 unrelated individuals who are familiar with the provider's experience in caring for children;
- G. Agree that, at the time of application for certification and re-certification for payment, DCYF must submit his or her name to the department of safety for a criminal records check, pursuant to RSA 170-E:3-a;
- H. Agree that, at the time of application for certification and re-certification for payment, DCYF must submit his or her name and the names of household members who have contact with children to the DCYF child abuse and neglect central registry, and to the central registry in any other state where the applicant, provider, or household member has resided in the previous 5 years, to determine whether there has been a founded child abuse and neglect report, pursuant to RSA 170-E:3-a and RSA 169-C:3 XIII-a;
- I. Agree that a CPSW or JPPO may visit during the application process to ensure that the home provides a healthy, clean, and safe environment for the care of children. If an environmental risk to the child is identified, the CPSW or JPPO requires inspection and approval by the local fire or health officials;
- J. Agree to allow an inspection and approval by the local fire or health officials if an environmental risk to the child is identified by the CPSW or JPPO during the visit;
- K. Agree that a CPSW or JPPO may visit, during the time a child receives child care to observe the child and assure compliance with He-C 6352; and
- L. Agree that a CPSW or JPPO must visit during operating hours when DCYF receives a complaint about the provider's compliance with He-C 6352.

### **Service Provision Guidelines**

- I. The following children/families are eligible to receive services:
  - A. Families with children without regard to income (WRI); and
  - B. Adoption subsidy recipients.
- II. Service Authorization:
  - A. DCYF authorizes payment for license - exempt child care services, based on a court order or a non court-ordered agreement between DCYF and the family.
  - B. The CPSW completes the initial service authorization and re-authorizes service every 6 months. Re-authorization for license-exempt child care services beyond the initial 6 months requires the approval of the Supervisor. The need for service, authorizations, and approvals must be documented in the "Case Plan."

- C. Child care for employment reasons administered by the Division of Family Assistance must be used if the foster parents are eligible.
- III. Providers of child care services must be certified and enrolled on NH Bridges.
- IV. The CPSW must visit the home of the prospective license-exempt provider to discuss child care. If the CPSW has concerns about the home, an inspection by the local fire and health officials may be requested. The results of the home visit must be forwarded to the Certification Unit at State Office. References and the medical "Information Statement" (Form 2152) must be obtained by the Certification Program Specialist prior to certification for payment. The CPSW is notified once certification and enrollment are completed.
- V. The child care provider must receive a completed copy of the "Service Authorization" from the CPSW at the time the child is enrolled or redetermined. Reimbursement is not made for services prior to or after the authorized dates of service.
- VI. DCYF must give the provider 14 days notice when a child's service is to be terminated. Notice may be verbal and must be followed in writing by an end dated service authorization.

### **Payment Procedures**

- I. Bills may be submitted monthly or bi-monthly.
- II. No payment is allowed for bills received after one year from date of service.
- III. DCYF will not pay more than the maximum rate charged private clients or more than the cost.
- IV. Rate Information
  - A. Rates for child care are reviewed and set by the NH Department of Health and Human Services.
  - B. Services may be authorized at the established rate. The rate authorized must not exceed the rate charged non-DCYF families. The provider must not charge a DCYF family an additional fee.
  - C. If a child is enrolled part time, attendance must be recorded to the nearest 1/4 hour. Hours attended during a week must be added and the total rounded to the nearest full hour. Billing must be for whole units only.
- V. License-exempt providers are not entitled to bill for absent days.

<b>Practice Guidance</b>
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#### **What is the Service Rate for this Service?**

- Refer to [Item 2700 Rates](#) (Fiscal Management Chapter, Rates Section) for current rate.