

Utah Department of Health, Child Care Licensing
Licensed Family & Residential Certificate Child Care Providers
What to Expect During Your Annual Announced Inspection

BEFORE THE INSPECTION

The Annual Announced Inspection will take place 60 to 120 days before the license or certificate expiration date. This is to allow the Licensing Specialist time to complete follow-up inspections that may be necessary to verify compliance with all rules, so that the license or certificate can be renewed.

The Licensing Specialist will give the Provider the option of having a telephone interview before the on-site inspection. If the Provider does not wish to have this telephone interview, the questions will be asked during the on-site inspection. The advantages of having the telephone interview are:

- Providers can read the questions from the checklist before the phone interview.
- The on-site inspection will take less time.
- If a question is answered incorrectly during the phone interview, it will be re-asked during the on-site inspection. If the question is answered correctly during the on-site inspection, that checklist item will be considered to be in compliance.

The on-site inspection will take approximately 1-2 hours, depending on the size of the home and the number of enrolled children. Although it is not required, the inspection will go faster if there is a second adult present to care for the children during the inspection. The inspection will also go faster if all required paperwork is organized for review when the Licensing Specialist arrives.

ON THE DAY OF THE INSPECTION

There will need to be one or more non-related children in care at the time of the inspection. The following will need to be available for inspection during the on-site visit:

- All animals at the home;
- Any vehicle used to transport children in care;
- Documentation of children's current immunization records for all enrolled children and the Provider's related children under age four.
- Documentation of annual reviews and updates of written emergency and disaster plans (licensed providers only)
- Documentation of annual reviews and updates of children's Health Assessments

If there are diapered children in care, the Licensing Specialist will need to observe a diaper change during the inspection. So, please don't change all diapers right before the inspection. The Licensing Specialist will be observing a diaper change in order to ensure that sanitary diapering procedures are followed. He or she will stand back to respect the privacy of the child being changed.

If it appears that there is not enough space in the home for the current licensed or certified capacity, the Licensing Specialist will measure the home and calculate the available square footage. This could occur if there has been a change in the area(s) of the home used for child care.

Any locked areas of the home and garage will need to be unlocked during the inspection (but not before the inspection), so please have any keys needed to do this. When inspecting the home for compliance with those rules which address **safety hazards**, the Licensing Specialist will differentiate between two different areas of the home:

1. Areas of the home considered **inaccessible** to children in care. This includes:
 - A. Any room (including attached garages) or closet with a locked door, or a child safety device over the doorknob while children are in care. (This includes closets inside a room if the room has a lock on the door or a child safety device over the doorknob). The lock on inside doors must be either one that needs a key or combination to be opened from the inside of the house, or else at least 60 inches high.
 - B. Rooms or areas of the home blocked off with a child safety gate while children are in care.
 - C. Cupboards or drawers that have a child safety lock on them while children are in care.
 - D. Cupboards that are higher than kitchen counter height.
 - E. If a **non-mobile** infant (any child less than 12 months of age who cannot get out of the crib or playpen on their own, and who is not within arm's reach of any hazards if they stand in the crib or playpen) naps in a crib or playpen in a bedroom, and the bedroom has a lock or child safety device on the doorknob, the room will be considered inaccessible to children, as long as the **only** child care activity that takes place in the room is the napping of non-mobile infants in cribs or playpens.
 - F. Sheds and garages if they are **locked** and are **unable** to be accessed from the children's outdoor play area.

2. Areas of the home considered **accessible** to children in care. This includes:
 - A. Rooms or areas of the home that are used for child care.
 - B. Rooms, closets, or areas of the home/garage that are **not** behind a locked door, a door with a child safety device on the doorknob, or a child safety gate while children are in care.
 - C. Cupboards and drawers in accessible rooms or areas of the home/garage that do **not** have a child safety device on them while children are in care, **and** that are 36" or less from the floor, from a surface that a child in care sleeps on, or from a surface in a bathroom a child could climb onto (counters, sinks, toilets, tubs).
 - D. In bathrooms accessible to children, the Licensing Specialist will look for safety hazards as outlined below. He or she will **not** look for personal hygiene items such as toothpaste, deodorant, cosmetics, lotion, nail polish, or hair care products.
 - E. The Licensing Specialist will **not** go through purses, diaper bags, or backpacks. However, s/he will ask where medications are stored, and if they are stored in purses, diaper bags, or backpacks that are within children's reach, this is a rule violation. In this case, the Licensing Specialist will ask the Provider to either put the purse, bag, or backpack out of children's reach, or to take the medication out of it and put the medication out of children's reach.

3. In **all areas** of the home, garage, and outdoors (**accessible and inaccessible**) **firearms** must be stored separately from ammunition, and must be in a **cabinet, safe, or area that is locked with a key or combination lock**, unless the carrier has a concealed weapon permit. This includes guns, muzzle loaders, rifles, shot guns, hand guns, pistols, and automatic guns, but not toy guns. See rule # R430-90-12(4)(a) & R430-50-12(4)(a).

Inspecting Inaccessible Areas of the Home

In each area/room of the home that is **inaccessible** to children, the Licensing Specialist will look into the area or room to see if there are children in care or illegal items, such as drug paraphernalia, in that area or room.

Inspecting Accessible Areas of the Home, Garage, and Outdoor Area

In each **accessible** area/room of the home, yard, and garage (if the garage is accessible from inside the home or the outdoor play area) the Licensing Specialist will look for the following dangerous items which are prohibited by rule. (In outdoor areas these items in outside areas can be made inaccessible if they are behind a closed fence/gate that is at least 36" high.)

1. **Weapons.** This includes weapons other than firearms. Firearms include guns, muzzle loaders, rifles, shotguns, hand guns, pistols, and automatic weapons. Firearms must be locked, and kept separate from ammunition. Weapons include items such as BB guns, Airsoft guns, paintball guns, swords, sling shots, bows and arrows, hunting knives, and nunchucks. All weapons must be inaccessible to children in care. See rule # R430-90-12(4)(a) & R430-50-12(4)(a).
2. **Tobacco, open containers of alcohol, illegal substances, and sexually explicit materials.** See rule # R430-90-12(4)(b) & R430-50-12(4)(b).
3. **Choking hazards** with a diameter of less than 1-1/4" and a length of less than 2-1/4" that are accessible to **children age 2 and under**. This does **not** mean such items cannot be stored in accessible cupboards or drawers within a child's reach. It means the Licensing Specialist will look to see if there are any items this small on the floor and/or within 36" of the floor where a child could pick them up without opening a drawer, cupboard, or lid. See rule # R430-90-12(4)(k) & R430-50-12(4)(k).
4. **Uncovered electrical outlets and surge protectors.** See rule # R430-90-12(6) & R430-50-12(6).
5. **Toxic or hazardous chemicals.** The specific toxic or hazardous chemicals the Licensing Specialist will look for are: insecticides; insect repellent; pesticides; weed killer; antifreeze and windshield wiper fluid; flammable liquids such as gasoline, kerosene, paint thinner, linseed oil, and turpentine; motor oil; bleach; household cleaners; nail polish remover; silver jewelry cleaner; rubbing alcohol; WD-40; super glue; liquid correction fluids, such as White Out; Aqua MSDS (for fish tanks); and rubber cement. These items must be inaccessible to children, and must be in their original container or in a container that is labeled with the contents. See rule # R430-90-12(4)(d), 90-12(5) & R430-50-12(4)(d), 50-12(5).
6. **Fireplaces, open-face heaters, or space heaters, when in use.** See rule # R430-90-12(4)(c) & R430-50-12(4)(c).
7. **Sharp objects.** This includes sharp knives, adult scissors, razors, sharp ends of nails or screws that protrude from an object, broken glass, cactus, toys with broken edges that could cut or puncture skin, and running fans if children's fingers could fit through the guard. Sharp objects also includes tack and pins if they are on the floor. This does **not** include butter knives, sharp knives in sinks or dishwashers, or sharp knives in butcher blocks placed at the back of the kitchen counter. See rule # R430-90-12(4)(h) & R430-50-12(4)(h).
8. **Medication.** This includes prescription and over-the-counter medications, including vitamins, herbal supplements, and herbal tea concentrates. This does **not** include topical antiseptic creams or ointments, diaper cream, sunscreen, teething gel or tablets, lotion, simethicone gas drops or pills, saline only drops or spray, or hydrocortisone cream. See rule # R430-90-17(3) & R430-50-17(3).
9. **Poisonous plants.** See rule # R430-90-12(4)(e) & R430-50-12(4)(e).
10. **Open flames.** See rule # R430-90-12(4)(g) & R430-50-12(4)(g).
11. **For age 4 and under, balloons, latex gloves, and empty plastic bags** large enough for a child's

head to fit in them. See rule # R430-90-12(4)(j) & R430-50-12(4)(j).

12. **Matches and cigarette lighters.** See rule # R430-90-12(4)(f) & R430-50-12(4)(f).
13. **Hot water** that exceeds the scalding point of 120 degrees Fahrenheit. See rule # R430-90-12(7), R430-50-12(7)
14. **Ropes, cords, chains, and wires long enough to encircle a child's neck.**
 - Indoors: window blind and drapery cords that are accessible to children, and pacifier cords accessible to children 4 and younger.
 - Outdoors: Ropes, cords, chains, and wires that are attached to a solid structure, long enough to encircle a child's neck (12 inches or longer), accessible to children 4 and younger, or within 48 inches of the ground in the outdoor play area if there are only children age 5 and older in care. This does not include loose jump ropes, or ropes suspending swings or tether balls. See rule # R430-90-12(4)(i) & R430-50-12(4)(i).

Inspecting Outdoor Areas

A general outdoor inspection will be conducted regardless the weather, but the outdoor play equipment may or may not be assessed at your announced inspection. In addition to the hazards listed above, the Licensing Specialist will look for harmful plants, objects, or substances, and standing water in the outdoor area. See rule # R430-90-6(5) & R430-50-6(5).

Harmful objects include:

1. Raised decks or balconies 5' or higher, or open basement stairwells, without a protective barrier that is at least 3' high and has no gaps > 5 inches.
2. Unanchored heavy equipment a child could climb on and/or pull over on themselves, including an unanchored swing set.
3. Rotting garbage not in a container with a lid.
4. Strangulation hazards: any ropes, cords, chains, or wires that are longer than 12 inches and can make a loop 5 inches or greater in diameter located anywhere on a piece of playground equipment and attached to secure objects.
5. Rebar / metal rods less than 48" tall sticking up from the ground or out of walls.
6. Accessible asbestos or fiberglass insulation.
7. Refrigerators or freezers a child could accidentally get shut inside of.
8. Welding torches.
9. Motor vehicles up on blocks.
10. Car batteries.
11. Exposed live electrical wire.
12. Dead animals.
13. Filled milk or slop buckets.
14. Unattended running vehicles or farm equipment.
15. Standing ladders.
16. Unstably stacked wood piles or bales of hay or straw.

Harmful plants include: Poison ivy or oak, stinging nettle, oleander, castor beans, jimson weed, mushrooms, toadstools, and cactus.

Standing water does not include temporary puddles due to rainfall or sprinklers.

When assessing the outdoor play area and equipment, the Licensing Specialist will check the following:

1. Gaps in fences;
2. Proper use of wading pools;
3. Safety of swimming pools and hot tubs;

4. Availability of a shaded area for children;
5. Availability of drinking water when the outside temperature is 75 degrees or higher;
6. Compliance with trampoline rules;
7. Play equipment not over a hard surface, such as concrete, asphalt or packed dirt;
8. Head entrapment hazards;
9. Strangulation hazards;
10. Crush, shearing, and sharp edge hazards;
11. Tripping hazards.

After the inspection and before leaving the facility, the Licensing Specialist will give the Provider a list of items that were out of compliance during the inspection, give the Provider the opportunity to discuss and provide feedback for each item, and ask for a date of correction for each item.

The Licensing Specialist will give verbal Technical Assistance only, and will not issue a written finding, if there is **only one instance** of any of the following rule violations:

- **One** plastic bag, latex glove, or balloon accessible to children age four and younger;
- **One** missing protective cap on an electrical outlet or surge protector;
- **One** unlabeled container of baby food, formula, or breast milk;
- **One** unlabeled pacifier or non-disposable drinking cup.

AFTER THE INSPECTION

After the inspection, the Licensing Specialist will mail out a Statement of Findings if there were noncompliance items found during the inspection. If there were no noncompliance items found during the inspection, the Licensing Specialist will send a letter indicating that there were no findings during the inspection.

If there were noncompliance items found during the inspection, the Licensing Specialist will conduct an unannounced follow-up visit to verify that all noncompliance items have been corrected and there are no new serious noncompliance items, so that the license or certificate can be renewed. By state law, if more than one follow-up visit is required, there will be a \$25.00 charge for each additional follow-up visit.

Cited findings for rules about caregiver to child ratios, direct supervision, safety hazards (if a repairman is not required for the correction), and aggressive animals must be corrected within 24 hours of the inspection. If required initial CBS/LIS background screening forms were not submitted, they must be submitted no later than 4 working days after the inspection.

ADDITIONAL INFORMATION FOR RENTERS AND LANDLORDS

Areas of the Home That Will Be Inspected

If the Provider rents an apartment in a home and is not the owner of the home, the Licensing Specialist will only need to assess the Provider's apartment (not the entire home) if that part of the home, which the Provider does not rent, is inaccessible from the Provider's apartment, **and if both** of the following conditions are met:

- There is a signed rental agreement between the Provider and the home owner. (Please have a copy of

this rental agreement for the inspection.) And,

- The Provider's apartment has a separate mailing address and mailbox from the rest of the home.

If both conditions are not met, or if the rest of the home is accessible to the children in the Provider's care, the Licensing Specialist will assess the entire home.

If the Provider is a landlord and rents out part(s) of the home, the Licensing Specialist will not assess the rented out portion of the home if it is inaccessible to the children in care, **and if both** of the following conditions are met:

- There is a signed rental/lease agreement between the Provider and the renter. (Please have a copy of this rental agreement for the inspection.) And,
- The rented part of the home has a separate mailing address and mailbox from the rest of the home.

If both of these conditions are not met, or if the rented out portion of the home is accessible to the children in the Provider's care, the Licensing Specialist will assess the entire home.

Background Screening

If the Provider rents an apartment in a home and is not the home owner, individuals living in the part(s) of the house not rented by the Provider do **not** need approved background screenings if **all** of the following conditions are met:

1. The rented part of the home has a separate outside entrance, and there is no interior doorway (inside the house) between the rented out part of the home and the rest of the home. And,
2. There is a signed rental/lease agreement between the Provider and the home owner. (Please have a copy of this rental agreement for the inspection.) And,
3. The Provider's apartment has a separate mailing address and mailbox from the rest of the home. And,
4. There is no potential for the individuals living in the part(s) of the home not rented by the Provider to have unsupervised access to the children in care. To meet this criteria, no child in care (including school age children) can be outdoors without the Licensee or Certificate Holder (or an approved caregiver) also being outdoors.

If all these conditions are not met, individuals living in the part(s) of the house not rented by the Provider need approved background screenings.

If the Provider is a landlord and rents out part(s) of the home, the renters do **not** need approved background screenings if **all** of the following conditions are met:

1. The rented part of the home has a separate outside entrance, and there is no interior doorway (inside the house) between the rented out part of the home and the rest of the home. And,
2. There is a signed rental/lease agreement between the Provider and the renter. (Please have a copy of this rental agreement for the inspection.) And,
3. The rented part of the home has a separate mailing address and mailbox from the rest of the home. And,
4. There is no potential for the renters to have unsupervised access to the children in care, including when the children are playing outdoors. To meet this criteria, no child in care (including school age children) can be outdoors without the Licensee or Certificate Holder (or an approved caregiver) also being outdoors.

If all of the above conditions are not met, approved background screenings are required for renters in the home of the Provider.