



Phase Three
Workgroup One Final Recommendations
Pre-Licensure and Amendments
July 2009

Attachment 7

Proposed Regulatory Vision for Ohio:

“Children are protected from harm and their healthy development is promoted when they are cared for outside of their home”. In other words children are cared for in safe, healthy and nurturing places.

Pre-Licensing Goal:

Reduce the harm to children and the administrative burdens/costs associated with pursuing the revocation process by requiring potential owners of child care programs (centers and Type A's) to demonstrate, prior to receiving a child care license, their capacity to provide safe, healthy and nurturing programs for children by completing all stages of the application process successfully.

Recommendations:

Stage One – Suitability: Potential owners are screened by submitting an online letter of interest, their request for a state/federal background and child abuse registry check and completion of a questionnaire (asking about ownership in other states either by themselves or family members, litigation, serious injury/death etc.). Owners must meet all suitability indicators before they can progress to the next stage. An electronic file with a unique identifier is created for the potential owner.

Stage Two - Eligibility: Potential suitable owners and administrators (if administrators aren't known at this point –then administrators once named would need to complete 4 hours of pre-service) complete a fee-based, 8 hour training on “How to Complete A Plan of Operation”. These trainings would be delivered on a rotation basis by Licensing Supervisors monthly. An on-line test must be completed within 7 days of the training and only applicants who meet a minimum score can progress to the next stage. A copy of the test results and next steps would be emailed to the applicant and placed in their electronic file. Only successful applicants will be able to submit an application. A determination will need to be made as to how often an applicant can take the test and/or retake the training.

Stage Three – Application Submission: Potential owners complete the online fee-based application along with their Plan of Operation. The Plan of Operation must meet a minimum score in order for a potential program to receive an ODJFS license number and be assigned a licensing specialist. In order to insure consistency this process should be completed by the Licensing Supervisor.

* **Note:** All three types of licenses can be modified to a lesser license, suspended, surrendered prior to their expiration date and/or revoked.

Stage Four – Conditional Licensure (provisional, temporary): A one-year license after which the license can be revoked, restricted or made permanent based on attaining and maintaining compliance with all serious risks. Conditional licensed programs receive an extra monitoring visit per year and can not provide evening, overnight and/or weekend care.

Stage Five – Restricted Licensure: A one year license with one six month extension for those programs that fail to maintain compliance with serious risks but demonstrate some reasonable probability that they would come into compliance. This license could also restrict certain program elements.

Stage Six - Permanent Licensure (full, regular): Non-expiring license that follows the progressive sanctions matrix has at least one visit per year and additional visits are based on accumulation of yearly serious risk points.

Amendment Goal:

Reduce administrative burdens related to processing amendments while allowing for program flexibility to be responsive to market forces.

Recommendations:

1. Identify number of amendment types (administrator change, capacity change and/or ownership/location) processed per fiscal year – look for a definition of “excessive”
2. Identify causal relationships – for example is there any relationship between the number of SRNC points and the number of administrator changes or is there a relationship between increasing infant/toddler capacity and an increase in SRNC points.
3. Develop frequency and fee schedule based on amendment type
 - a. the frequency range: every six months or annually at renewal
 - b. the fee range: assess a fee on all types of amendments; on each occurrence to limiting the number that can be submitted to one “free” or no fee if done at renewal
4. Develop protocols for how amendments are processed
5. Automate the processing and tracking of amendments.