

## **PART VII – HEALTH AND SAFETY REQUIREMENTS IN THE TERRITORIES**

### **Section 7.1 – Health and Safety Requirements for Center-Based Providers in the Territories**

*(658E(c)(2)(F), §98.41(a), §98.16(j))*

*For all center-based care, the following health and safety requirements apply to child care services provided under the CCDF for:*

- *The prevention and control of infectious disease (including age-appropriate immunizations)*
- *Building and physical premises safety*
- *Health and safety training*

The *Child Care and Development Fund Report of State Plans, FY 2004-2005*, is the first to include a summary of CCDF Plans submitted by Lead Agencies in the Territories. The five Territories are: American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, and Puerto Rico.

The following Territory abbreviations are used in this section: AS (American Samoa), CNMI (Commonwealth of the Northern Mariana Islands), GU (Guam), PR (Puerto Rico), and VI (Virgin Islands).

#### **Prevention and Control of Infectious Disease**

- All five Territories (AS, CNMI, GU, PR, VI) require age-appropriate immunizations.
- All five Territories (AS, CNMI, GU, PR, VI) require providers to obtain health clearances or health certificates.
- Two Territories (PR and VI) require providers to conduct daily physical checks on children.
- Two Territories (PR and VI) require children to complete physical examinations.
- In one Territory (AS), public health nurses conduct periodic site visits to monitor children's immunization status and conduct general health screenings.
- One Territory (CNMI) requires participation in a dental program and completion of health forms for children. These forms are similar to those used in Head Start.

#### **Building and Physical Premises Safety**

**American Samoa** requires monthly inspections of physical premises safety standards.

**Commonwealth of the Northern Mariana Islands** requires an inspection by the Public Health and Environmental Services.

**Guam** requires inspections by the Fire Department, the Environmental Protection Agency, and the Division of Environmental Health.

**Puerto Rico** requires inspections conducted by several agencies before a license is issued: Permit and Regulatory Administration, Environmental Quality Board of the Health Department, and the Fire Department.

**Virgin Islands** require compliance with the Building Code, Zoning Subdivision laws, and annual Fire Department inspections.

### **Health and Safety Training**

- All five Territories (AS, CNMI, GU, PR, VI) require providers to attend health and safety training.

**American Samoa** requires training in CPR/First Aid, health and hygiene, control of infectious diseases, nutrition, and emergency procedures for disasters.

**Commonwealth of the Northern Mariana Islands** requires training in CPR and training on fire extinguisher use. In addition, family health history records are required.

**Guam** requires 15 hours of annual training on health and safety, nutrition, First Aid, child abuse and detection, and caring for children with special needs.

**Puerto Rico** requires annual CPR/First Aid training. In addition, centers must develop emergency evacuation plans and conduct monthly practice drills.

**Virgin Islands** require training in health and safety practices.

## **Section 7.2 – Health and Safety Requirements for Group Home Providers in the Territories**

*(658E(c)(2)(F), §98.41(a), §98.16(j))*

*For all group home care, the following health and safety requirements apply to child care services provided under the CCDF for:*

- *The prevention and control of infectious disease (including age-appropriate immunizations)*
- *Building and physical premises safety*
- *Health and safety training*

### **Prevention and Control of Infectious Disease**

In **American Samoa**, the requirements for group homes are the same as requirements for centers—public health nurses conduct periodic site visits to monitor children’s immunization status and conduct general health screenings.

**Commonwealth of the Northern Mariana Islands** requires minimum health and safety standards—grandparents are exempted.

**Guam** requires providers to complete a physical examination and obtain a health certificate. All children must be immunized.

**Puerto Rico** requires providers and their family members to submit health certificates. Children must be immunized and have a physical examination upon enrollment with the provider.

Group home requirements in the **Virgin Islands** are the same as center requirements: daily observations of each child; annual health examinations, medical reports, and immunization requirements for children; and food handler's certificate/health card required for staff.

### **Building and Physical Premises Safety**

In **American Samoa**, the requirements for group homes are the same as requirements for centers.

**Commonwealth of the Northern Mariana Islands'** requirements include indoor and outdoor space requirements.

**Guam** requirements include inspections by the Fire Department, the Environmental Protection Agency, and the Division of Environmental Health.

**Puerto Rico** has standards related to indoor and outdoor play spaces, food handling, and compliance with the Bureau of the Environmental Health and Fire Department requirements.

In the **Virgin Islands**, the standards are the same as for centers.

### **Health and Safety Training**

In **American Samoa**, the requirements for group homes are the same as requirements for centers.

**Commonwealth of the Northern Mariana Islands** requires immunizations for children, family health history records, health and physical examinations for providers, CPR training, and training on fire extinguisher use.

**Guam** requires providers to complete a minimum of 15 hours of training on health and safety, nutrition, First Aid, child abuse and detection, and caring for children with special needs.

**Puerto Rico** requires First Aid training and group homes are monitored for compliance by the Licensing Division.

In the **Virgin Islands**, providers are required to attend training sessions in safety and health practices.

## Section 7.3 – Health and Safety Requirements for Family Providers in the Territories

(658E(c)(2)(F), §98.41(a), §98.16(j))

*For all family child care, the following health and safety requirements apply to child care services provided under the CCDF for:*

- *The prevention and control of infectious disease (including age-appropriate immunizations)*
- *Building and physical premises safety*
- *Health and safety training*

### **Prevention and Control of Infectious Disease**

In **American Samoa**, the family child care requirements are the same as requirements for centers and group homes.

**Commonwealth of the Northern Mariana Islands** requires minimum health and safety standards—grandparents are exempted.

**Guam** requires providers to complete a physical exam/health certificate and children must be immunized.

In **Puerto Rico**, the requirements are same as in group homes for family homes with three or more children. In informal homes, providers must obtain a health certificate and children must be immunized.

In the **Virgin Islands**, the requirements are the same for centers, group homes, and family child care.

### **Building and Physical Premises Safety**

- All five Territories (AS, CNMI, GU, PR, VI) reported requirements for family child care are the same as for group homes.

**Puerto Rico** requires informal family child care providers to complete a police clearance and a self certification that care will be provided in a healthy, safe, drug-free workplace.

### **Health and Safety Training**

In **American Samoa**, family child care requirements are the same as requirements for centers and group homes.

**Commonwealth of the Northern Mariana Islands** requires immunizations for children, family health history records, health and physical examinations for providers, CPR training, and training on fire extinguisher use.

**Guam** requires training on health and safety, nutrition, First Aid, child abuse and detection, and caring for children with special needs. All license-exempt providers must complete a minimum of 15 hours of training annually.

In **Puerto Rico**, the requirements are the same as for group homes. Training is available for informal providers through family child care networks.

In the **Virgin Islands**, training is required in health and safety practices.

## **Section 7.4 – Health and Safety Requirements for In-Home Providers in the Territories**

*(658E(c)(2)(F), §98.41(a), §98.16(j))*

*For all in-home care, the following health and safety requirements apply to child care services provided under the CCDF for:*

- *The prevention and control of infectious disease (including age-appropriate immunizations)*
- *Building and physical premises safety*
- *Health and safety training*

### **Prevention and Control of Infectious Diseases**

In **American Samoa**, the requirements for in-home care are the same as requirements for centers, group homes, and family child care.

**Commonwealth of the Northern Mariana Islands** requires in-home providers to meet minimum health and safety requirements—grandparents are exempted.

In **Guam**, a physical exam/health certificate is required and children must be immunized.

**Puerto Rico** requires a health certificate and children must be immunized.

In the **Virgin Islands**, the provider must sign an agreement stating that the environment is clean and sanitary and precautions will be taken to ensure the health and safety of children in care. This includes immunizations. A National Criminal Investigation Check is conducted. If the home cannot meet basic health and safety requirements, the parent must find alternative care.

### **Building and Physical Premises Safety**

In **American Samoa**, the requirements for in-home care are the same as requirements for centers, group homes, and family child care.

**Commonwealth of the Northern Mariana Islands** has indoor physical space requirements that support an environment conducive to learning; and outdoor requirements including fenced in play areas and a minimum number of square feet per child.

In **Guam**, in-home providers must meet Division of Environmental Health inspection requirements.

**Puerto Rico** has standards related to indoor and outdoor play spaces and food handling.

In the **Virgin Islands**, in-home providers sign an agreement and are given a handbook on providing safe physical environments.

### **Health and Safety Training**

In **American Samoa**, the requirements for in-home care are the same as requirements for centers, group homes, and family child care.

**Commonwealth of the Northern Mariana Islands** requires immunizations for children, family health history records, health and physical exams for providers, CPR training, and training on fire extinguisher use.

**Guam** requires a minimum of 15 hours of training on health and safety, nutrition, First Aid, child abuse and detection, and caring for children with special needs.

**Puerto Rico** requires First Aid training.

In the **Virgin Islands**, providers are required to attend health and safety training sessions.

## **Section 7.5 – Exemptions to Territorial Health and Safety Requirements**

*At Lead Agency option, the following relatives may be exempted from health and safety requirements: grandparents, great grandparents, aunts, uncles, or siblings (who live in a separate residence from the child in care). (658P(4)(B), §98.41(a)(1)(ii)(A)). Indicate the Lead Agency’s policy regarding these relative providers:*

- Four Territories (AS, GU, PR, VI) reported all relative providers are subject to the same requirements as described in sections 7.1–7.4.
- One Territory (CNMI) reported some relative providers are subject to different requirements from those described in sections 7.1–7.4. Only grandparents, with four or fewer children in care, are exempt from all health and safety requirements.

## **Section 7.6 – Enforcement of Health and Safety Requirements**

*Each Lead Agency is required to certify that procedures are in effect to ensure that child care providers of services for which assistance is provided comply with all applicable health and safety requirements. (658E(c)(2)(E), §§98.40(a)(2), 98.41(d)) The following is a description of how Territorial health and safety requirements are effectively enforced:*

*Are child care providers subject to routine unannounced visits (i.e., not specifically for the purpose of complaint investigation or issuance/renewal of a license)?*

- All five Territories (AS, CNMI, GU, PR, VI) conduct unannounced visits.

**American Samoa** conducts monthly visits of all facilities.

**Commonwealth of the Northern Mariana Islands** conducts periodic visits, based on a random sampling.

**Guam** conducts quarterly visits, or as needed. Monitoring visits will be expanded to include license-exempt facilities.

**Puerto Rico** conducts routine visits.

The **Virgin Islands** conduct at least one unannounced visit annually.

*Are child care providers subject to background checks?*

- All five Territories (AS, CNMI, GU, PR, VI) conduct background checks on child care providers.

In **American Samoa**, criminal clearances are required from the Department of Public Safety and Child Protective Services.

In **Guam**, submission of police and criminal court clearances are required for all providers and all other adult member(s) in the household or child care center.

In **Puerto Rico**, police clearances are required.

In the **Virgin Islands**, criminal background investigations are conducted by the Virgin Islands Police Department.

*Does the Territory require that child care providers report serious injuries that occur while a child is in care? (Serious injuries are defined as injuries requiring medical treatment by a doctor, nurse, dentist, or other medical professional.)*

- Four Territories (AS, CNMI, GU, VI) require that providers report serious injuries that occur while a child is in care.

**American Samoa** requires providers notify the child care program and the parent/guardian.

*Other methods used to ensure that health and safety requirements are effectively enforced:*

**Puerto Rico** established a safety monitoring system that includes a Health and Safety checklist to facilitate monitoring. Providers are given 30 days to correct infractions.

**Virgin Islands** reported the following methods to ensure effective enforcement of health and safety requirements:

- Evaluations are conducted before licenses are renewed;
- Complaints are investigated;
- If warranted, unannounced visits are increased;

- The University of the Virgin Islands conducts required training;
- Licenses can be suspended, or civil penalties issued;
- The Office of Licensing and Regulatory Services and CCDF collaborate on monitoring efforts; and
- Annual inspections are conducted by the Department of Health, the Fire Department, and the Department of Planning and Natural Resources.

### **Section 7.7 – Exemptions from Immunization Requirements**

*The Territory assures that children receiving services under the CCDF are age-appropriately immunized, and that the health and safety provisions regarding immunizations incorporate (by reference or otherwise) the latest recommendations for childhood immunizations of the Territorial public health agency. (§98.41(a)(1))*

- All five Territories (AS, CNMI, GU, PR, VI) reported immunization requirement exemptions for children whose medical condition contraindicates immunization.
- Two Territories (PR and VI) reported immunization requirement exemptions for children whose parents object to immunization on religious grounds.