

Chapter 388-145 WAC

EMERGENCY RESPITE CENTERS

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PURPOSE

WAC 388-145-0010 What is the purpose of this chapter? The department issues or denies a license on the basis of compliance with licensing requirements. This chapter defines general and specific licensing requirements for emergency respite centers. Unless noted otherwise, these requirements apply to people who want to be licensed or relicensed to provide facility-based emergency respite care.

The department is committed to ensuring that children who receive emergency respite care experience health, safety, and well-being. We want these children's experiences to be beneficial to them not only in the short term, but also in the long term. Our licensing requirements reflect our commitment to children.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0010, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0020 What definitions apply to this chapter? The following definitions are important to understand these rules:

"Abuse or neglect" means injury, sexual abuse, sexual exploitation, negligent treatment or mistreatment of a child where the child's health, welfare and safety are harmed.

"Capacity" means the maximum number of children that a facility is licensed to care for at a given time.

"Children" or **"youth,"** means individuals who are:

(1) Under eighteen years old, including expectant mothers under eighteen years old; or

(2) Up to twenty-one years of age with developmental disabilities.

"Child-placing agency" means an agency licensed to place children for temporary care, continued care, or adoption.

"Compliance agreement" means a written licensing improvement plan to address specific skills, abilities, or other issues of a fully licensed facility to maintain and/or increase the safety and well-being of children in their care.

"DCCCEL" means the division of child care and early learning. DCCCEL licenses child care homes and child care centers.

"DCFS" means the division of children and family services.

"DDD" means the division of developmental disabilities.

"DSHS" or **"department"** means the department of social and health services (DSHS).

"DLR" means the division of licensed resources.

"DOH" means the department of health.

"ERC" or **"emergency respite center"** is an agency that may be commonly known as a crisis nursery that pro-

vides emergency or crisis care for children to prevent child abuse or neglect.

"Firearms" means guns or weapons, including but not limited to the following: BB guns, pellet guns, air rifles, stun guns, antique guns, bows and arrows, handguns, rifles, and shotguns.

"Hearing" means the department's administrative review process.

"I" refers to anyone who operates or owns emergency respite center.

"Individual with developmental disabilities" means an individual who meets the eligibility requirements in RCW 71A.10.020 and WAC 388-825-030 for services. A developmental disability is any of the following: Mental retardation, cerebral palsy, epilepsy, autism, or another neurological condition described in WAC 388-825-030. These conditions must originate before the age of eighteen years; be expected to continue indefinitely; and result in a substantial handicap.

"Infants" means children under one year of age.

"License" means a permit issued by the department affirming that a facility meets the licensing requirements.

"Licensor" means a division of licensed resources (DLR) employee at DSHS who:

- (1) Approves licenses or certifications for group facilities; and
- (2) Monitors facilities to ensure that they continue to meet health and safety requirements.

"Nonambulatory" means not able to walk.

"Nonmobile" refers to children who are not yet walking, are unable to walk, or unable to use a wheelchair or other device to move about freely.

"Premises" means a facility's buildings and adjoining grounds that are managed by a person or agency in charge.

"Probationary license" means a license issued as a disciplinary measure to an individual or agency that has previously been issued a full license but is out of compliance with licensing standards.

"Respite" means brief, relief care provided to parents or legal guardians with the child care provider fulfilling some or all of the functions of the care-taking responsibilities of the parent or guardian.

"Severe developmental disabilities" means significant disabling, physical and/or mental condition(s) that cause a child to need external support for self-direction, self-support and social participation.

"Universal precautions" is a term relating to procedures designed to prevent transmission of bloodborne pathogens in health care and other settings. Under universal precautions (sometimes call standard precautions), blood or other potentially infectious materials of all patients should always be considered potentially infectious for HIV and other pathogens. Individuals should take appropriate precautions using personal protective equipment like gloves to prevent contact with blood.

"Washington state patrol fire protection bureau" is the name of the state agency commonly called the **"state fire marshal"** with authority and responsibility for the inspection of life and fire safety of facilities caring for six or more children.

"We" or **"our"** refers to the department of social and health services, including DLR licensors and DCFS social workers.

"You" refers to anyone who operates an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0020, filed 3/26/03, effective 4/26/03.]

GENERAL INFORMATION

WAC 388-145-0030 What is an emergency respite center? An emergency respite center is an agency that may be commonly known as a crisis nursery, which provides emergency or crisis care for nondependent children to prevent abuse and/or neglect for up to seventy-two hours.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0030, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0040 What services may be provided or arranged for by the emergency respite center? An emergency respite center may provide the following:

- (1) The provision of direct child care;
- (2) A family assessment;
- (3) Appropriate community service referrals; and/or
- (4) Family support services.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0040, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0050 Are there services an emergency respite center may not provide? The services provided by an emergency respite center may not substitute for those provided by:

- (1) Crisis residential centers;
- (2) HOPE centers; or
- (3) Any other services required under chapter 13.32A (Family reconciliation services) or 13.34 RCW (Child welfare).

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0050, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0060 What age children may a center serve? (1) Emergency respite centers may provide care for children from birth through seventeen years.

(2) There is one situation when an emergency respite center may provide care for a person eighteen through twenty years of age. That situation is when an eighteen through twenty-year old person is developmentally disabled and admitted with a sibling who is under eighteen.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0060, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0070 Who may place children at a center? A parent or legal guardian of a child may voluntarily place a child in an emergency respite center for up to seventy-two hours.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0070, filed 3/26/03, effective 4/26/03.]

APPLICATION

WAC 388-145-0080 Is a license required? (1) In most situations, a license is required to provide child care at an emergency respite center.

(2) The department does not require licenses for people providing care in any of the situations defined in RCW 74.15.020(2). Examples are relatives, school nurseries, and hospitals.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0080, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0090 How old do I have to be to apply for a license? You must be at least twenty-one years old to apply for a license to provide care to children at an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0090, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0100 What personal characteristics must a person have to provide care to children at a center? If a person is requesting a license or a position as an employee, volunteer, intern, or contractor in an emergency respite center, he/she must:

(1) Demonstrate an understanding, ability, physical health, emotional stability and personality suited to meet the physical, mental, emotional, and social needs of the children under his/her care.

(2) Be able to furnish the child with a nurturing, respectful, supportive, and responsive environment.

(3) Not have been disqualified by our background check (chapter 388-06 WAC) before having unsupervised access to children.

(4) Not have been found to have committed child abuse or neglect.

(5) Not have had a license denied or revoked from an agency that provides care to children or vulnerable adults, unless the department determines that the denial or revocation was not based on a factor that may pose a risk to the health, safety or welfare of children.

[Statutory Authority: RCW 74.15.030, 74.15.280. WSR 05-11-008, § 388-145-0100, filed 5/4/05, effective 6/4/05. Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0100, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0110 What personal information may I be required to provide to be licensed? (1) The department may request additional information at any time and it may include, but is not limited to:

(a) Substance and alcohol abuse evaluations and/or documentation of treatment;

(b) Psychiatric evaluations;

(c) Psycho-sexual evaluations; and

(d) Medical evaluations and/or medical records.

(2) The applicant/licensees pays for any evaluation requested by the department.

(3) The applicant/licensee must give permission for the licenser to speak with the evaluator/provider before and after the evaluation.

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(4) If an applicant or licensee refuses to comply with subsections (1), (2), or (3) of this section, then DLR may deny the application or revoke the license.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0110, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0120 How do I apply for a license? (1) To apply for an emergency respite center license, the person or legal entity responsible for the center must send the application form to your licenser at DLR.

(2) With the application form, you must send the following information:

(a) Written verification for each applicant and staff person of completion of:

(i) A tuberculosis test or X ray unless you can demonstrate medical reasons prohibiting the test;

(ii) First-aid and cardio-pulmonary resuscitation (CPR) training appropriate to the age of the children in care; and

(iii) HIV/AIDS and bloodborne pathogens training including infection control standards.

(b) A completed background check form for each applicant, staff person, board member, intern or volunteer on the premises who:

(i) Is at least sixteen years old; and

(ii) Has unsupervised access to children (emergency respite centers must comply with chapter 388-06 WAC regarding background checks).

(3) If you, any staff person, board member, intern, or volunteer has lived in Washington state less than three years and will have unsupervised access to children, you must provide us with a completed FBI fingerprint form.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0120, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0130 What is required to document completed background checks on staff? The licensee of an emergency respite center must keep a log of all background check results of employees, volunteers, and interns on the premises of the center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0130, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0140 What first aid and cardiopulmonary resuscitation (CPR) training is required? (1) You and your staff at an emergency respite center must have the following current first-aid and CPR training:

(a) Basic standard first aid; and

(b) Age-appropriate cardiopulmonary resuscitation (CPR).

(2) Approved first aid and CPR training must be in accordance with a nationally recognized standard.

(3) A person with first aid and CPR training must be on the premises of an emergency respite center at all times, when children are present.

(4) The requirement for CPR training may be waived for persons with a statement from their physician that the training is not advised for medical reasons. This person must not be the only person on the premises when children are present.

(5) You must keep records in your center showing who has completed current first aid and CPR training. This

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includes copies of the certificate of completion for the training for each staff person.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0140, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0150 What HIV/AIDS and blood-borne pathogens training is required? (1) You must provide or arrange for training for yourself and your staff at an emergency respite center on infection control, prevention, transmission, and treatment of HIV and AIDS and blood-borne pathogens.

(2) You must use infection control requirements and educational material consistent with the approved current curriculum "*Know - HIV/AIDS Prevention Education for Health Care Facility Employees*," published by the department of health, office on HIV/AIDS.

(3) Child care workers and anyone else providing direct care to children at an emergency respite center must use universal precautions (see definitions) when coming in contact with the bodily fluids or secretions of a child.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0150, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0160 How long do I have to complete the licensing application packet? (1) You must complete your licensing application with supporting documents, such as training certificates, within ninety days of first applying for your emergency respite center license.

(2) If you fail to meet this deadline and have not contacted your licensor, your licensor may consider your application withdrawn.

(3) If you are applying for a license renewal, you must send the application form to your licensor at least ninety days prior to the expiration of your current license.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0160, filed 3/26/03, effective 4/26/03.]

LICENSING AND PROGRAM APPROVAL

WAC 388-145-0170 Does the department need to approve the program I offer? (1) The department must approve the program that you have developed for children under your care at an emergency respite center.

(2) You must send to DLR a detailed written program description outlining educational, recreational, and any therapeutic services you will provide to children and their families.

(3) A sample of the schedule of daily activities for children under care must be included with the program description.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0170, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0180 May a facility have more than one type of license? (1) A facility-based emergency respite center licensed by the division of licensed resources may also be licensed as a child care center by the division of child care and early learning.

(2) The licensee must meet the requirements for both licenses and have written approval for both licenses from each division.

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[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0180, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0190 What hours may a center be open? An emergency respite center may choose to be open up to twenty-four hours a day, seven days a week.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0190, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0200 How does the department decide how many children a center may serve? (1) The department approves the number of children that an emergency respite center may serve based on an evaluation of these factors:

- (a) Physical accommodations in the center;
- (b) The number of staff, family members and volunteers available for providing care;
- (c) Your skills and the skills of your staff;
- (d) The ages and characteristics of the children you are serving;
- (e) The evaluation of fire safety by the Washington state patrol fire protection bureau; and
- (f) The evaluation of health and safety by the department of health.

(2) Based on the evaluation, the department may license you for the care of fewer children than your facility could house.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0200, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0210 Will the department grant exceptions to the licensing requirements? (1) At its discretion, the department may make exceptions to the licensing requirements for emergency respite centers. The exceptions:

- (a) Must regard only nonsafety requirements.
- (b) Must not compromise the safety and well being of the children receiving care.

(2) You must make a written request for an exception to the licensing requirements.

(3) After granting an exception to a licensing requirement, the department may:

- (a) Limit or restrict your license; and/or
- (b) Require you to enter into a compliance agreement to ensure the safety and well being of the children in your care.

(4) You must keep a copy of the approved exception and any compliance agreement to the licensing requirements for your files.

(5) You do not have appeal rights if the department denies your request for an exception to our requirements.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0210, filed 3/26/03, effective 4/26/03.]

CORRECTIVE ACTION

WAC 388-145-0220 Does the department issue probationary licenses? (1) The department may issue an emergency respite center a probationary license as part of a corrective action plan with a licensed provider.

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(2) The department must base its decision about whether to issue a probationary license on the following:

- (a) Intentional or negligent noncompliance with the licensing rules;
 - (b) A history of noncompliance with the rules;
 - (c) Current noncompliance with the rules;
 - (d) Evidence of a good faith effort to comply; and
 - (e) Any other factors relevant to the specific situation.
- (3) A probationary license may be issued for up to six months. At its discretion, the department may extend the probationary license for an additional six months.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0220, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0230 When is a license denied, suspended or revoked? (1) An emergency respite center license must be denied, suspended or revoked if the department decides that you cannot provide care for children in a way that ensures their safety, health and well-being.

(2) The department must deny, suspend, or revoke your license for any of the reasons that follow:

(a) Your facility fails to meet the health and safety requirements to receive a certificate of compliance as required by the department of health and/or Washington state patrol fire protection bureau.

(b) You or anyone on the premises have been disqualified by your background check (see chapter 388-06 WAC).

(c) You or anyone on the premises have been found to have committed child abuse or neglect, or you treat, permit or assist in treating children in your care with cruelty, indifference, abuse, neglect, or exploitation, unless the department determines that you do not pose a risk to a child's safety, well-being, and long-term stability.

(d) You or anyone on the premises had a license denied or revoked from an agency that provided care to children or vulnerable adults, unless the department determines that the denial or revocation was not based on a factor that may pose a risk to the health, safety or welfare of children.

(e) You try to get a license deceitfully, such as making false statements or leaving out important information on the application.

(f) You commit, permit or assist in an illegal act on the premises of an emergency respite center providing care to children.

(g) You are using illegal drugs, or excessively using alcohol and/or prescription drugs.

(h) You knowingly allowed employees or volunteers with false statements on their applications to work at your agency.

(i) You repeatedly lack qualified or an adequate number of staff to care for the number and types of children under your care.

(j) You have refused to allow our authorized staff and inspectors to have requested information or access to your facility, child and program files, and/or your staff and clients.

(k) You are unable to manage the property, fiscal responsibilities, or staff in your agency.

(l) You have failed to comply with the federal and state laws for any Native American children that you have under care.

[Statutory Authority: RCW 74.15.030, 74.15.280. WSR 05-11-008, § 388-145-0230, filed 5/4/05, effective 6/4/05. Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0230, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0240 Are there any other reasons that could potentially cause me to lose my license? (1) The department may suspend or revoke your emergency respite center license if you go beyond the conditions of your license by:

- (a) Having more children than your license allows; or
- (b) Having children with ages different than your license allows.

(2) The department also may suspend or revoke your license if you:

- (a) Fail to provide a safe, healthy and nurturing environment for children under your care; or
- (b) Fail to comply with any of our other licensing requirements.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0240, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0250 What happens when a licensor is notified that a licensee has received a noncompliance support order from the division of child support? (1) The department must suspend an emergency respite care license, if the licensor receives a notice from the division of child support that the licensee is not in compliance with a support order under authority of RCW 43.20A.205 and 74.20A.320.

(2) In this situation, the suspension of a center license, for noncompliance of a support order, would be effective on the date the licensee receives a notice from the licensor.

(3) The license remains suspended until the licensee provides proof that he or she is in compliance with the child support order.

(4) The licensee does not have a right to an administrative hearing based on a suspension of the center license due to noncompliance of a child support order.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0250, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0260 How will the department notify me if my license is denied, suspended, or revoked? (1) The department sends you a certified letter informing you of any decision to deny, suspend or revoke your emergency respite center license.

(2) In the letter, the department also informs you what you may do if you disagree with the decision of the department to deny, suspend or revoke your emergency respite center license.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0260, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0270 What may I do if I disagree with the department's decision to deny, suspend or revoke my license? (1) You have the right to appeal any decision the department makes to deny, suspend, or revoke your emergency respite center license. The exception is outlined in WAC 388-145-0250 and deals with noncompliance of a child support order.

(2) Your right to appeal and the procedures for that process are outlined in RCW 43.20A.205 and 74.14.130, chapter 34.05 RCW, and chapter 388-02 WAC.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0270, filed 3/26/03, effective 4/26/03.]

POSTING LICENSE AND REPORTING CHANGES

WAC 388-145-0280 Where do I post my license? You must post your emergency respite center license where the public can easily view it.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0280, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0290 What changes to my center must I report to my licensor? (1) You must report to your licensor immediately any changes in the original emergency respite center licensing application. This includes changes in:

- (a) Your location or designated space, including address;
- (b) Your phone number;
- (c) The maximum number, age ranges, and sex of children you wish to serve; or
- (d) The structure of your facility or on the premises from events causing damage, such as a fire, or from remodeling.

(2) A license is valid only for the person or organization named on the license at a specific address. If you operate an emergency respite center, you must also report any of the following changes to your licensor:

- (a) A change of your agency's executive director;
- (b) The death, retirement, or incapacity of the person who holds the license;
- (c) A change in the name of a licensed corporation, or the name by which your center is commonly known; or
- (d) Changes in an agency's articles of incorporation and bylaws that apply to the operation or the license of the facility.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0290, filed 3/26/03, effective 4/26/03.]

FIRE SAFETY

WAC 388-145-0300 Must I comply with the requirements of the Washington state patrol fire protection bureau to receive a license? (1) An emergency respite center must comply with the requirements for fire safety of the Washington state patrol fire protection bureau under WAC 212-12-210.

(2) The Washington state patrol fire protection bureau will issue a notice of approval for licensing to the licensing agency when you have met their requirements for fire safety.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0300, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0310 Do I need to notify the local fire department of the location of my center? You must notify the local fire authority of the location of your emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0310, filed 3/26/03, effective 4/26/03.]

(5/4/05)

WAC 388-145-0320 Are local ordinances part of the licensing requirements? (1) Local ordinances (laws), such as zoning regulations and local building codes, are outside the scope of the licensing requirements for an emergency respite center.

(2) The department may require you to provide proof that you have met local ordinances.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0320, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0330 Are there other fire safety requirements for inside a center? An emergency respite center must comply with the fire safety requirements that follow.

(1) Every sleeping room used by children under care must have at least one operable window or door approved for emergency escape or rescue that must open directly into a public street, public alley, yard, or exit court.

(2) Centers with floors located more than four feet above or below grade (one-half story) must not be used for care of nonambulatory children.

(3) Emergency windows must:

(a) Be operable from the inside to provide a full, clear opening without the use of separate tools;

(b) Have a minimum net clear open area of 5.7 square feet;

(c) Have a minimum net clear open height dimension of twenty-four inches;

(d) Minimum net clear open width dimension of twenty inches;

(e) Have a finished sill height of not more than forty-four inches above the floor.

(4) No child may occupy a space that is accessible only by a ladder, folding stairs, or a trap door.

(5) Every bathroom door lock must be designed to permit the opening of the locked door from the outside.

(6) Every closet door latch must be designed to open from the inside.

(7) Open-flame devices and fireplaces, heating and cooking appliances, and products capable of igniting clothing must not be left unattended or used incorrectly.

(8) Fireplaces, wood stoves and other heating systems that have a surface hot enough to cause a burn must have a barrier to prevent access by children under age six years.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0330, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0340 What are the requirements for smoke detectors? (1) Emergency respite centers licensed for sixteen or more residents must have an approved automatic and manual fire alarm system.

(2) Operation of any fire alarm activating device must automatically, without delay, activate offsite monitoring and signal a general alarm indication and sound an audible alarm throughout the building or affected part of the building.

(3) Emergency respite centers licensed for fewer than sixteen persons must have smoke detectors installed in all sleeping room, corridors, and in areas separating use areas from sleeping areas.

(4) Smoke detectors must be installed following the approved manufacturer's instructions.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0340, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0350 What are the requirements for a fire evacuation plan? (1) You must develop a written fire evacuation plan for your emergency respite center.

(2) The evacuation plan must include:

- (a) An evacuation floor plan, identifying exit doors and windows;
 - (b) Action that the person discovering a fire must take;
 - (c) Methods for sounding an alarm on the premises;
 - (d) Ways to evacuate the building that ensures responsibility for children; and
 - (e) Action that staff must take while waiting for the fire department.
- (3) The plan must be posted at each exit door.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0350, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0360 What fire prevention measures must I take? The department requires that you must take the following fire prevention measures for your emergency respite center:

- (1) You must assure that furnace rooms are:
 - (a) Maintained free of lint, grease, and rubbish; and
 - (b) Suitably isolated, enclosed, or protected.
- (2) Flammable or combustible materials must be stored away from exits and in areas that are not accessible to children. Combustible rubbish must not be allowed to collect and must be removed from the building or stored in closed, metal containers away from building exits.
- (3) All trash must be removed daily from the building and thrown away in a safe manner outside the building. All containers used for the disposal of waste material must consist of noncombustible materials and have tops.
- (4) All electrical motors must be kept free of dust.
- (5) Open-flame devices capable of igniting clothing must not be left on, unattended or used in a manner that could result in an accidental ignition of children's clothing.
- (6) Candles must not be used.
- (7) All electrical circuits, devices and appliances must be properly maintained. Circuits must not be overloaded. Extension cords and multiplug adapters must not be used in place of permanent wiring and proper outlets.
- (8) Fireplaces, woodstoves, and similar devices must be installed and approved according to the rules that were in effect at the time of installation (see the local building permit). These devices must be properly maintained and must be cleaned and certified at least once a year or maintained according to the manufacturer's recommendations.
- (9) Separate hazardous areas by at least a "one-hour" fire-resistant wall. Hazardous areas include rooms or spaces containing:
 - (a) A commercial-type cooking kitchen;
 - (b) A boiler;
 - (c) A maintenance shop;
 - (d) A janitor closet;
 - (e) A woodworking shop;
 - (f) A vehicle garage;
 - (g) Flammable or combustible materials; or
 - (h) Painting operations.

(10) The department does not require a fire-resistant wall when:

- (a) A kitchen contains only a domestic cooking range; and
- (b) Food preparation does not produce smoke or grease-laden vapors.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0360, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0370 What are the requirements for fire drills? (1) You must conduct monthly fire drills to test and practice the evacuation procedures.

(2) The monthly fire drill must be conducted on each shift, so that each person providing care to children participates in the drill.

(3) You must consult with and follow the Washington state patrol fire protection bureau protocol for "mock" fire drills, if you care for nonambulatory children.

(4) You must maintain a written record on the premises that indicates the date and time that drill practices were completed at your emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0370, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0380 What fire safety procedures do center staff need to know? You and your staff at an emergency respite center must be familiar with:

- (1) Safety procedures related to fire prevention; and
- (2) All aspects of a fire drill.
- (3) Your and your staff must be able to:
 - (a) Operate all fire extinguishers installed on the premises;
 - (b) Test smoke detectors (single station types);
 - (c) Conduct frequent inspections of the facility to identify fire hazards; and
 - (d) Correct any hazards noted during the inspection.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0380, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0390 What are the requirements for fire sprinkler systems? (1) Where a sprinkler system is required, a system complying with the uniform building code standards must be installed.

(2) A Washington state licensed fire sprinkler contractor must annually test and certify sprinkler systems installed in an emergency respite center for fire prevention.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0390, filed 3/26/03, effective 4/26/03.]

HEALTH AND ENVIRONMENT

WAC 388-145-0400 Does an ERC need approval from the department of health to operate? (1) An emergency respite center must receive a certificate of compliance from the department of health before the department (DSHS) will issue an emergency respite center license.

(2) The department of health (DOH) conducts the health and safety survey. A registered nurse (RN) and/or a public health sanitarian may complete the survey.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0400, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0410 What are the physical structure safety requirements for a center? You must keep the equipment and the physical structures in your emergency respite center safe and clean for the children you serve. You must:

- (1) Maintain your buildings, premises, and equipment in a clean and sanitary condition, free of hazards, and in good repair.
- (2) Provide handrails for steps, stairways, and ramps, if required by the department.
- (3) Have emergency lighting devices available and in operational condition.
- (4) Furnish your center appropriately, based on the age and activities of the children under care.
- (5) Have washable, water-resistant floors in your center bathrooms, kitchens, and any other rooms exposed to moisture. The department may approve washable, short-pile carpeting that is kept clean and sanitary for your facility's kitchens.
- (6) Provide tamper proof or tamper resistant electrical outlets or blank covers installed in areas accessible to children under the age of six or other persons with limited mental capacity or who might be endangered by access to them.
- (7) Have easy access to rooms occupied by children in case an emergency arises. Some examples are bedrooms, toilet rooms, shower rooms, and bathrooms.
- (8) Have a written disaster plan for emergencies such as fire and earthquakes.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0410, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0420 What are the requirements for the location of a center? (1) Your center must be located on a well-drained site, free from hazardous conditions. Some examples of hazards are natural or man-made water hazards such as lakes or streams, steep banks, ravines, and busy streets.

(2) The safety of the children in care is paramount. You must discuss with the licensor any potential hazardous conditions, considering the children's ages, behaviors, and abilities.

(3) If the department decides that hazardous conditions are present at the emergency respite center, a supervision plan must be written for the children in care.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0420, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0430 What are the requirements for emergency aid vehicle access to my center? (1) Your emergency respite center must be accessible to emergency vehicles.

(2) Your address must be clearly visible on the facility or mailbox so that firefighters or medics can easily find your center location.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0430, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0440 What steps must I take to ensure children's safety around outdoor bodies of water? (1) You must ensure children in your care at an emergency respite center are safe around bodies of water.

(2) On a daily basis, you must empty and clean any portable wading pool that children use.

(3) When they are swimming, wading, or near a body of water, children under twelve must be in continuous visual or auditory range at all times by an adult with current first aid and age appropriate CPR.

(4) You must ensure age and developmentally appropriate supervision of any child that uses hot tubs, swimming pools, spas, and other man-made and natural bodies of water.

(5) You must lock hot tubs and spas when they are not in use.

(6) You must place a fence designed to discourage climbing and have a locking gate around a pool. The pool must be inaccessible to children when not in use.

(7) A certified lifeguard must be on duty when children are using a public or private swimming pool.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0440, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0450 What measures must I take for pest control? You must make reasonable attempts, using the least toxic methods, to keep the premises of the emergency respite center free from pests. This includes rodents, flies, cockroaches, fleas, and other insects.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0450, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0460 What are the requirements regarding pets and animals at a center? (1) In an emergency respite center, you must not have any common household pets, exotic pets, other animals, birds, insects, reptiles, or fish that are dangerous or provide a risk to the children in care.

(2) Common household pets, exotic pets, animals, birds, insects, reptiles, and fish must:

(a) Be cared for in compliance with state regulations and local ordinances; and

(b) Be free from disease and cared for in a safe and sanitary manner.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0460, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0470 Are alcoholic beverages allowed at a center? You can not have alcohol on the premises of an emergency respite center. The staff of the center may not consume alcohol on the premises or during breaks.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0470, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0480 Is smoking permitted around children? (1) You must prohibit smoking in the emergency respite center and in motor vehicles while transporting children.

(2) You may permit adults to smoke outdoors away from children.

(3) Nothing in this section is meant to interfere with traditional or spiritual Native American ceremonies involving the use of tobacco.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0480, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0490 May I have firearms at a center?

The department prohibits firearms, ammunition, and other weapons on the premises of an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0490, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0500 May I use wheeled baby walkers? The department prohibits the use of wheeled baby walkers in an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0500, filed 3/26/03, effective 4/26/03.]

STORAGE OF MEDICATIONS AND CHEMICALS

WAC 388-145-0510 Are there requirements for the storage of medications? At an emergency respite center:

(1) You must keep all medications, including pet medications, vitamins and herbal remedies, in locked storage.

(2) You must store external medications separately from internal medications.

(3) You must store medications according to the manufacturer or pharmacy instructions.

(4) Pet and human medications must be stored in separate places.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0510, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0520 Are there requirements for storing dangerous chemicals or other substances? (1) At an emergency respite center, you must store the following items in a place that is not accessible to children, persons with limited mental capacity, or anyone who might be endangered by access to the following products:

- (a) Cleaning supplies;
- (b) Toxic or poisonous substances;
- (c) Aerosols; and
- (d) Items with warning labels.

(2) When containers are filled with toxic substances from a stock supply, you must label the containers filled from a stock supply.

(3) Toxic substances must be stored separately from food items.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0520, filed 3/26/03, effective 4/26/03.]

FIRST-AID SUPPLIES**WAC 388-145-0530 Are first-aid supplies required?**

(1) At an emergency respite center, first-aid supplies must be kept on hand for immediate use, including nonexpired syrup of ipecac that is to be used only when following the instruction of the poison control center.

(2) The following first-aid supplies must be kept on hand:

- (a) Barrier gloves and one-way resuscitation mask;
- (b) Bandages;
- (c) Scissors and tweezers;
- (d) Ace bandage;
- (e) Gauze;
- (f) Thermometer; and
- (g) A first-aid manual.

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[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0530, filed 3/26/03, effective 4/26/03.]

MEDICAL CARE AND MEDICATION MANAGEMENT

WAC 388-145-0540 What are the requirements for medical policies and procedures for a center? (1) Emergency respite centers must have written policies and procedures about the control of infections. These policies must include, but are not limited to, the following areas:

- (a) Isolation;
- (b) Aseptic procedures;
- (c) Reporting communicable diseases;
- (d) Hygiene, including hand washing, using the toilet, diapering, and laundering.

(2) Emergency respite centers must maintain current written medical policies and procedures to be followed on:

(a) Prevention of the transmission of communicable diseases including:

- (i) Handwashing for staff and children;
- (ii) Management and reporting of communicable diseases.

(b) Medication management, including steps to be taken if medication is incorrectly administered;

- (c) First aid;
- (d) Care of minor illnesses;
- (e) Actions to be taken for medical emergencies;
- (f) Infant care procedures when infants are under care; and

(g) General health practices.

(3) You must arrange to have one of the following help you develop and periodically review your medical policies and procedures:

- (a) An advisory physician,
- (b) A physician's assistant, or
- (c) A registered nurse.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0540, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0550 Must all children accepted for care have current immunizations? Emergency respite centers may accept a child who is not current with immunizations for care at an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0550, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0560 What must I do to prevent the spread of infections and communicable diseases? (1) You must take precautions to guard against infections and communicable diseases infecting the children under care in an emergency respite center.

(2) Staff with a reportable communicable disease in an infectious stage, as defined by the department of health, must not be on duty until they have a physician's approval for returning to work.

(3) Each center that cares for medically fragile children must have an infection control program supervised by a registered nurse.

(4) Applicants for a license or adults authorized to have unsupervised access to children in a center must have a tuber-

culin (TB) skin test by the Mantoux method of testing. They must have this skin test upon being employed or licensed unless:

- (a) The person has evidence of testing within the previous twelve months;
- (b) The person has evidence that they have a negative chest X ray since previously having a positive skin test;
- (c) The person has evidence of having completed adequate preventive therapy or adequate therapy for active tuberculosis.
- (5) The department does not require a tuberculin skin test if:

- (a) A person has a tuberculosis skin test that has been documented as negative within the past twelve months; or
- (b) A physician indicates that the test is medically unadvisable.
- (6) Persons whose tuberculosis skin test is positive must have a chest X ray within thirty days following the skin test.
- (7) The department does not require retesting at the time of license renewal, unless the licensee or staff person believes they have been exposed to someone with tuberculosis or if testing is recommended by their health care provider.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0560, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0570 How do I manage medications for children? You must meet specific requirements for managing prescription and nonprescription medication for children under your care. The requirements are:

- (1) Only you or another authorized care provider may give or have access to medications for the child under your care.
- (2) Only you or another authorized care provider may give prescription and nonprescription medications. Written approval of the child's parent or legal guardian is required to give the child any medication.
- (3) You must keep a record of all medications you give a child.
- (4) You or another authorized care provider must contact a pharmacist or the department of health regarding the proper disposal of medications that are not returned to the parent or legal guardian of the child.
- (5) You must give certain classifications of nonprescribed medications, only with the dose and directions on the manufacturer's label for the age and /or weight of the child needing the medication. These nonprescribed medications include but are not limited to:
 - (a) Nonaspirin antipyretics/analgesics, fever reducers/pain relievers;
 - (b) Nonnarcotic cough suppressants;
 - (c) Decongestants;
 - (d) Antacids and anti-diarrhea medication;
 - (e) Anti-itching ointments or lotions intended specifically to relieve itching;
 - (f) Shampoo for the removal of lice;
 - (g) Diaper ointments and powders intended specifically for use in the diaper area of children; and
 - (h) Sun screen (for children over six months of age).

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0570, filed 3/26/03, effective 4/26/03.]

(5/4/05)

WAC 388-145-0580 May I accept medicine from a child's parent or guardian? The only medicine you may accept from the child's parent or legal guardian is medicine in the original container labeled with:

- (1) The child's first and last names;
- (2) The date the prescription was filled;
- (3) The medication's expiration date; and
- (4) Legible instructions for the administration of the drug (manufacturer's instructions or prescription label).

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0580, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0590 When may children take their own medicine? (1) You may permit children under your care to take their own medicine as long as:

- (a) They are physically and mentally capable of properly taking the medicine; and
- (b) The child's parent or legal guardian approves in writing.
- (2) You must keep the written approval by the child's parent or legal guardian in your records.
- (3) When children take their own medication, the medication and medical supplies must be kept locked or inaccessible to other children and unauthorized persons.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0590, filed 3/26/03, effective 4/26/03.]

FOOD/DIET/MENUS

WAC 388-145-0600 Are there general menu requirements? The department has menu requirements for emergency respite centers.

- (1) Your program must be in compliance with the department of health standards in chapter 246-215 WAC on food service sanitation.
- (2) You must prepare and date daily menus, including snacks, at least one week in advance.
- (3) You must provide for the proper storage, preparation, and service of food to meet the needs of the program.
- (4) A menu must specify a variety of foods for adequate nutrition and meal enjoyment.
- (5) You must keep the menus on file for a minimum of six months so that we can review your menus.
- (6) You must post each person's dietary restrictions, if any, for staff to follow.
- (7) You must post a schedule of mealtimes.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0600, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0610 How often must I feed children at a center? (1) You must provide all children a minimum of three meals in each twenty-four hour period. You may vary from this guideline only if you write to your licensor requesting a change and the request is approved by DLR.

- (2) The time interval between the evening meal or snack and breakfast must not be more than fourteen hours.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0610, filed 3/26/03, effective 4/26/03.]

[Ch. 388-145 WAC p. 11]

WAC 388-145-0620 How do I handle a child's special diet? Unless a child is admitted to an emergency respite center with a written physician's order as medically necessary for the child, the following must not be served:

- (1) Nutrient concentrates, supplements, or amino acids;
- (2) Vitamins; or
- (3) Modified diets.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0620, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0630 Do you have special requirements for serving milk? (1) You must serve only pasteurized milk or a pasteurized milk product.

(2) You may not serve the following types of milk to any child under twenty-four months of age unless you have written permission by a physician, or parent or legal guardian:

- (a) Skim milk;
- (b) Reconstituted nonfat dry milk; and
- (c) One and two percent butterfat milk.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0630, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0640 What home canned foods may I use? You may not serve home canned foods to children at an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0640, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0650 What requirements must I meet for feeding babies? You must meet the following requirements for feeding babies:

(1) If more than one child is bottle-fed, all formulas must be in sanitized bottles with nipples and labeled with the child's name and date prepared.

(2) You must refrigerate filled bottles if the bottles are not used immediately. Contents must be discarded if not used within twenty-four hours.

(3) If you reuse bottles and nipples, you must sanitize them.

(4) Infants who are six months of age or over may hold their own bottles as long as an adult remains in the room, within eyesight. You must take bottles from the child when the child finishes feeding, or when the bottle is empty.

(5) You must not prop a bottle when feeding an infant.

(6) To prevent uneven heating, formula must not be warmed in a bottle used for feeding in a microwave oven.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0650, filed 3/26/03, effective 4/26/03.]

ROOM REQUIREMENTS

WAC 388-145-0660 Are there room requirements?

(1) You must provide rooms that are ample in size and properly furnished for the number of children you serve at an emergency respite center.

(2) With more than twelve children, you must provide at least one separate indoor recreation area. Its size and location must be sufficient for the age and number of the children using it to engage in recreational and informal education activities.

[Ch. 388-145 WAC p. 12]

(3) You must provide a room or area that is used as an administrative office. In addition, suitable offices must be provided for social service staff. In facilities caring for fewer than thirteen children, these offices may be combined with the administrative office.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0660, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0670 What does the room temperature at a center need to be? (1) You must maintain the temperature within your emergency respite center facility at a reasonable level while occupied. This would normally be a minimum of sixty-eight degrees Fahrenheit during awake hours and a minimum of sixty-five degrees Fahrenheit during sleeping hours.

(2) You must consider the age and needs of the children under your care in determining appropriate temperature.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0670, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0680 What are the kitchen requirements? (1) You must provide facilities to properly store, prepare, and serve food to meet the needs of the children under your care at your emergency respite center.

(2) All food service facilities and food handling practices must comply with rules and regulations of the state board of health governing food service sanitation (see chapter 246-215 WAC). This includes food handler's permit for all staff.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0680, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0690 May I use the kitchen for activities for children? Children are not allowed in the kitchen of an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0690, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0700 May a room be used for more than one purpose? At your emergency respite center you may use a room for multiple purposes such as playing, dining, napping, and learning activities, provided that:

(1) The room is of sufficient size; and

(2) The room's usage for one purpose does not interfere with usage of the room for another purpose.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0700, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0710 What are the general requirements for bedrooms? You must meet all the following requirements for bedrooms if you provide full-time care at an emergency respite center.

(1) An adult must be on the same floor or within easy hearing distance and accessibility to where children under six years of age are sleeping.

(2) Any room used for sleeping must be at least thirty-five square feet per child.

(3) Bedrooms must have both:

(a) Adequate ceiling height for the safety and comfort of the occupants (normally, seven and a half feet); and

(5/4/05)

(b) At least one window of not less than one-tenth of the required floor space that opens to the outside. This allows natural light into the bedroom and permits emergency access or exit.

(4) The number of beds allowed at an emergency respite center is established in consultation with the DOH surveyor for each facility.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0710, filed 3/26/03, effective 4/26/03.]

BEDS AND CRIBS

WAC 388-145-0720 What are the requirements for beds? (1) Children in overnight care must have their own bed at an emergency respite center. The bed must be at least twenty-seven inches wide with a clean and comfortable mattress in good condition.

(2) For each child in care, you must provide a pillow and pillowcase, blankets, and sheets.

(3) Pillows must be covered with waterproof material or be washable.

(4) Bedding must be clean.

(5) You must provide waterproof mattress covers or moisture resistant mattresses, if needed.

(6) You may use toddler beds with a standard crib mattress that is sufficient in length and width for the comfort of children.

(7) You must not allow children to use the loft style beds or upper bunks of double-deck beds if using them due to age, development or condition could hurt them. Examples: Preschool age children and children with disabilities.

(8) If a cot is used as the bed, the licensee must ensure the child's cot is of sufficient length and width, and constructed to provide adequate comfort for the child to sleep. The licensee must ensure that the cot surface is of a material that can be cleaned with a detergent solution, disinfected, and allowed to air dry.

(9) You must not use canvas cots.

(10) A mat may be used for napping but not as a substitute for a bed.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0720, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0730 Are there requirements for the use of cribs? (1) You must provide an infant with a crib that ensures the safety of the infant and complies with chapter 70.111 RCW, Infant Crib Safety Act.

(2) Cribs must have no more than two and three-eighths inches space between vertical slats when used for infants less than six months of age.

(3) Cribs, infant beds, bassinets, and playpens must:

(a) Have clean, firm, snug fitting mattresses covered with waterproof material that is easily sanitized; and

(b) Be made of wood, metal, or approved plastic with secure latching devices

(4) Crib bumpers, stuffed toys, and pillows must not be used in cribs, infant beds, bassinets, or playpens.

(5) You must follow the recommendation of the American Academy of Pediatrics, 1-800-505-CRIB, placing infants on their backs each time for sleep.

(5/4/05)

(6) The distance between each crib/bed must provide enough space for exiting and allow staff access to children. Normally, this would be thirty inches.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0730, filed 3/26/03, effective 4/26/03.]

DIAPER CHANGING AND BATHING FACILITIES

WAC 388-145-0740 What are the requirements for diapers and diaper-changing areas? At an emergency respite center, you must follow the requirements for diapers, diaper-changing rooms, and potty-chairs.

(1) You must separate diaper-changing areas from food preparation areas.

(2) You must sanitize diaper-changing areas between each use or you must use a nonabsorbent, disposable covering that is discarded after each use.

(3) For cleaning children, you must use either disposable towels or clean cloth towels that have been laundered between each use.

(4) You and any caregiver must wash hands before and after diapering each child.

(5) You must use disposable diapers, a commercial diaper service, or reusable diapers supplied by the child's family.

(6) Diaper-changing procedures must be posted at the changing areas.

(7) Diaper-changing areas must be adjacent to a hand-washing sink.

(8) The staff must be within arms-length of the child being diapered at all times while changing diapers. The use of safety belts is prohibited.

(9) Diaper-changing tables or surfaces must have a barrier or edge that is a minimum of four inches above the pad or six inches above the top of the table.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0740, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0750 What are the requirements for bathing facilities? Emergency respite centers must comply with the requirements that follow.

(1) Bathing facilities must be inaccessible to children when not in use.

(2) Preschool age and younger children must be supervised while using bathing facilities.

(3) Bathing facilities must be equipped with a conveniently located grab bar or other safety device such as a non-skid pad.

(4) The ratio of bathing facilities to children in care must be 1:8.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0750, filed 3/26/03, effective 4/26/03.]

TELEPHONE/LIGHTING/VENTILATION/WATER/WASTE DISPOSAL

WAC 388-145-0760 Do I need a telephone? (1) You must have at least one telephone on the premises for incoming and outgoing calls. The telephone must be accessible for emergency use at all times.

(2) You must post emergency phone numbers next to the phone.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0760, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0770 What are the lighting requirements? (1) You must locate light fixtures and provide lighting that promotes good visibility and comfort for the children under your care at your emergency respite center.

(2) Emergency respite centers must have nonhazardous light fixture covers or shatter resistant (or otherwise made safe) light bulbs or tubes.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0770, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0780 What are the requirements for ventilation? (1) You must ensure that your physical facility is ventilated for the health and comfort of the persons under your care at the emergency respite center.

(2) A mechanical exhaust fan to the outside must ventilate toilets and bathrooms, and utility rooms with mop sinks that do not have windows opening to the outside.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0780, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0790 What are the requirements about drinking water? (1) You must provide the following:

(a) A public water supply or a private water supply approved by the local health authority at the time of licensing or relicensing; and

(b) Disposable paper cups, individual drinking cups or glasses, or angled jet type drinking fountains.

(2) You must not use bubbler type fountains or common drinking cups.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0790, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0800 What are the requirements for sewage and liquid wastes? Emergency respite centers must discharge sewage and liquid wastes into a public sewer system or into a functioning septic system.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0800, filed 3/26/03, effective 4/26/03.]

LAUNDRY, SINKS, AND TOILETS

WAC 388-145-0810 What are the requirements for laundry facilities? The department has specific requirements for laundry facilities at an emergency respite center.

(1) You must have separate and adequate facilities for storing soiled and clean linen.

(2) You must provide adequate laundry and drying equipment, or make other arrangements for getting laundry done on a regular basis.

(3) You must locate laundry equipment in an area separate from the kitchen and child care areas.

(4) Laundry equipment must be vented to the outdoors.

(5) You must make laundry equipment inaccessible to young children.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0810, filed 3/26/03, effective 4/26/03.]

[Ch. 388-145 WAC p. 14]

WAC 388-145-0820 What are the requirements for washing clothes? You must use an effective way to sanitize laundry contaminated with urine, feces, lice, scabies, or other potentially infectious materials at your emergency respite center. You must sanitize laundry through temperature control or the use of chemicals.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0820, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0830 Do I need a housekeeping sink? Facilities licensed to provide emergency respite care must have and use a housekeeping sink or DOH-approved method of drawing clean mop water and disposing of the wastewater.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0830, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0840 What are the requirements for handwashing sinks? (1) An emergency respite center must supply children with warm running water for handwashing. The water must be kept at a temperature range of not less than eighty-five degrees Fahrenheit and not more than one hundred and twenty degrees Fahrenheit.

(2) The children's handwashing facilities must be located in or adjacent to rooms used for toileting.

(3) The center must provide the child with soap and individual towels or other appropriate devices for washing and drying the child's hands and face.

(4) Handwashing sinks must be of appropriate height and size for children in care or your center must furnish safe, easily cleanable platforms impervious to moisture.

(5) An emergency respite center must provide a minimum of one handwashing sink:

(a) For every fifteen children normally on site during the day; and

(b) For every eight children normally on site overnight.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0840, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0850 What are the requirements for toilets? (1) An emergency respite center must provide a minimum of one indoor flush-type toilet:

(a) For every fifteen children normally on site during the day; and

(b) For every eight children normally on site overnight.

(2) Children eighteen months of age or younger and other children using toilet training equipment need not be included when determining the number of required flush-type toilet.

(3) If urinals are provided, the number of urinals must not replace more than one-third of the total required toilets.

(4) Privacy for toileting must be provided for children of the opposite sex who are six years of age and older and for other children demonstrating a need for privacy.

(5) A mounted toilet paper dispenser for each toilet must be provided.

(6) Toilets and urinals must be of appropriate height and size for children in care or your center must furnish safe, easily cleanable platforms impervious to moisture.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0850, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0860 Must a center have toilet training equipment for children? (1) An emergency respite center must have developmentally appropriate toilet-training equipment, when the center serves children who are not toilet trained.

(2) The equipment must be sanitized after each child's use.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0860, filed 3/26/03, effective 4/26/03.]

INDOOR PLAY AREAS

WAC 388-145-0870 What are the requirements for indoor play areas? (1) The emergency respite center's indoor premises must contain adequate area for child play and sufficient space to house a developmentally appropriate program for the number and age range of children served.

(2) You must provide a minimum of thirty-five square feet of usable floor space per child, not counting bathrooms, hallways, and closets.

(3) You may use and consider the napping area as child care space, if there are not beds or cots on the floor space.

(4) Any room used for napping or sleeping must have a window to allow natural light into the room.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0870, filed 3/26/03, effective 4/26/03.]

OUTDOOR PLAY AREAS

WAC 388-145-0880 What are the requirements for an outdoor play area? (1) You must provide a safe and securely-fenced or department-approved, enclosed outdoor play area at an emergency respite center.

(2) The fenced or approved enclosed outdoor play area must prevent child access to roadways and other dangers.

(3) The fence or enclosure must protect the play area from unauthorized exit or entry. Any fence or enclosure must be designed to discourage climbing.

(4) The outdoor play area must adjoin directly the indoor premises or be reachable by a safe route and method.

(5) The outdoor play area must promote the child's active play, physical development, and coordination.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0880, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0890 What are the size requirements for an outdoor play area? (1) You must ensure the play area at an emergency respite center contains a minimum of seventy-five usable square feet per child.

(2) If not all of the children are using the outdoor play area at the same time, you may reduce the outdoor play area size by the number of children normally using the play area at one time.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0890, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0900 What are the requirements for playground equipment? (1) You must provide a variety of age appropriate play equipment for climbing, pulling, pushing, riding, and balancing activities at an emergency respite center.

(5/4/05)

(2) You must arrange, design, construct, and maintain equipment and ground cover to prevent child injury.

(3) The quantity of outdoor play equipment must offer the child a range of outdoor play options.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0900, filed 3/26/03, effective 4/26/03.]

TRANSPORTATION

WAC 388-145-0910 Are there requirements to follow when I transport children? When you transport children under your care, you must follow these requirements.

(1) The vehicle must be kept in a safe operating condition.

(2) The driver must have a valid driver's license.

(3) There must be at least one adult other than the driver in a vehicle when:

(a) There are more than five preschool-aged children in the vehicle;

(b) Staff-to-child ratio guidelines or your contract require a second staff person; or

(c) The child's specific needs require a second adult person.

(4) The driver or owner of the vehicle must be covered under an automobile liability and insurance policy.

(5) Your vehicles must be equipped with seat belts, car seats and booster seats, and/or other appropriate safety devices for all passengers as required by law.

(6) The number of passengers must not exceed the vehicle's seat belts.

(7) All persons in the vehicle must use seat belts or approved child passenger restraint systems, as appropriate for age, whenever the vehicle is in motion.

(8) Buses approved by the state patrol are not required to have seat belts.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0910, filed 3/26/03, effective 4/26/03.]

CLIENT RECORDS

WAC 388-145-0920 What does the department require for keeping client records? (1) Your records must be kept at your emergency respite center and contain, at a minimum, the following information:

(a) The child's name and birthdate;

(b) Daily attendance logs;

(c) A copy of any suspected child abuse and/or neglect referrals made to children's administration;

(d) Names, address and home and business telephone numbers of parents or persons to be contacted in case of emergency;

(e) Dates and illnesses or accidents while at the center;

(f) Medications and treatments given at the center;

(g) Facility and/or daily logs must have the signature of the person making the written entry;

(h) Health screening information including any allergy information; and

(i) Other information determined relevant by the department.

[Ch. 388-145 WAC p. 15]

(2) Identifying and personal information about the child and their family must be kept confidential, unless permission has been given for release by the parent.

(3) You must keep information about the child and their families in a secure place.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0920, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0930 What written information is needed before a child is admitted to a center? Before accepting a child for care at an emergency respite center you must obtain the following written consent and information from the parent or guardian:

(1) Permission from the child's parent or guardian authorizing the placement of their child;

(2) Permission to seek emergency medical care or surgery on behalf of their child;

(3) Basic family information, including address, telephone numbers, and emergency contact; and

(4) Basic medical information, including current medication, known allergies, and at-risk behaviors of the child.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0930, filed 3/26/03, effective 4/26/03.]

CLIENT PROTECTION

WAC 388-145-0940 What are the requirements for protecting a child under my care from abuse or neglect?

As part of ensuring a child's health, welfare and safety, you must protect children under your care from all forms of child abuse or neglect (see RCW 26.44.020(12) and chapter 388-15 WAC for more details).

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0940, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0950 What are the nondiscrimination requirements? You must follow all state and federal laws regarding nondiscrimination while providing services to children in your care.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0950, filed 3/26/03, effective 4/26/03.]

WAC 388-145-0960 Do I have to admit or retain all children at the center? An emergency respite center has the right to refuse to admit or retain a child who can not be served safely or who may pose a risk to other children.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0960, filed 3/26/03, effective 4/26/03.]

CLIENT RIGHTS

WAC 388-145-0970 Do I have responsibility for a child's personal hygiene? (1) You must provide or arrange for children under your care to have items needed for grooming and personal hygiene.

(2) You must assist these children in using these items, based on the child's developmental needs.

(3) Clothing must be clean and age-appropriate.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0970, filed 3/26/03, effective 4/26/03.]

[Ch. 388-145 WAC p. 16]

WAC 388-145-0980 Do I have responsibility for a child's personal items at the center? You must provide separate space for the storage of personal items such as clothing and toys, for each child at your emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0980, filed 3/26/03, effective 4/26/03.]

DISCIPLINE

WAC 388-145-0990 What requirements must I follow when disciplining children? (1) You are responsible for disciplining children in your care. This responsibility may not be delegated to a child.

(2) Discipline must be based on an understanding of the child's needs and stage of development.

(3) Discipline must be designed to help the child under your care to develop inner control, acceptable behavior and respect for the rights of others.

(4) Discipline must be fair, reasonable, consistent, and related to the child's behavior.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-0990, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1000 What types of disciplinary practices are forbidden? (1) You must not use cruel, unusual, frightening, unsafe or humiliating discipline practices, including but not limited to:

(a) Spanking children with a hand or object;

(b) Biting, jerking, kicking, hitting, or shaking the child;

(c) Pulling the child's hair;

(d) Throwing the child;

(e) Purposely inflicting pain as a punishment;

(f) Name calling or using derogatory comments;

(g) Threatening the child with physical harm;

(h) Threatening or intimidating the child; or

(i) Placing or requiring a child to stand under a cold water shower.

(2) You must not use methods that interfere with a child's basic needs. These include, but are not limited to:

(a) Depriving the child of sleep;

(b) Providing inadequate food, clothing or shelter;

(c) Restricting a child's breathing;

(d) Interfering with a child's ability to take care of their own hygiene and toilet needs; or

(e) Providing inadequate medical or emergency dental care.

(3) You must not use medication in an amount or frequency other than that prescribed by a physician or psychiatrist.

(4) You must not give one child's medications to another child.

(5) You must not use medication for behavior management unless a physician to control that child's behavior prescribes the medication.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1000, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1010 Does the department require a written statement describing my discipline methods? (1) You must provide a written statement describing the disci-

pline methods you use with your application and reapplication for licensure.

(2) If your discipline methods change, you must immediately provide a new statement to your licensor describing your current practice.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1010, filed 3/26/03, effective 4/26/03.]

PHYSICAL RESTRAINT

WAC 388-145-1020 What types of physical restraint are acceptable? (1) You must use efforts other than physical restraint to redirect or deescalate a situation.

(2) If a child's behavior poses an immediate risk to physical safety, you may use a physical restraint on a child. The restraint must be reasonable and necessary to:

(a) Prevent a child on the premises from harming himself/herself or others; or

(b) Protect property from serious damage.

(3) You and the staff may use restraining techniques:

(a) If your emergency respite center provides care to school-age children only; and

(b) Is approved by DLR for the use of physical restraint. You and your staff must be trained in accordance with the DLR behavior management policy before restraining a child in a nonemergency situation.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1020, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1030 What types of physical restraint are not acceptable for children? You must not use:

(1) Physical restraint as a form of punishment or discipline;

(2) Mechanical restraints, such as handcuffs and belt restraints;

(3) Locked time-out rooms; or

(4) Physical restraint techniques that restrict breathing, or inflict pain as a strategy for behavior control, or that might injure a child. These include, but are not limited to:

(a) Restriction of body movement by placing pressure on joints, chest, heart, or vital organs;

(b) Sleeper holds, which are holds used by law enforcement officers to subdue a person;

(c) Arm twisting;

(d) Hair holds;

(e) Choking or putting arms around the throat; or

(f) Chemical restraints, including but not limited to pepper spray.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1030, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1040 What must I do following an incident that involved using physical restraint? The director or program supervisor of an emergency respite center must review any incident with the staff who used physical restraint to ensure that the decision to use physical restraint and its application were appropriate.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1040, filed 3/26/03, effective 4/26/03.]

(5/4/05)

WAC 388-145-1050 What incidents involving children must I report? (1) You or your staff at an emergency respite center must report any of the following incidents immediately to your local children's administration intake staff and the child's parent or legal guardian:

(a) Any reasonable cause to believe that a child has suffered child abuse or neglect;

(b) Any violations of the licensing or certification requirements;

(c) Death of a child;

(d) Any child's suicide attempt that results in injury requiring medical treatment or hospitalization;

(e) Any use of physical restraint that is alleged to be improper, excessive, or results in injury;

(f) Sexual contact between two or more children that is not considered typical play between preschool age children;

(g) Any disclosures of sexual or physical abuse by a child in care;

(h) Physical assaults between two or more children that result in injury requiring offsite medical treatment or hospitalization;

(i) Unexpected or emergent health problems that require offsite medical treatment;

(j) Any medication that is given incorrectly and requires offsite medical treatment; or

(k) Serious property damage that is a safety hazard and is not immediately corrected.

(2) You or your staff must report immediately, any of the following incidents to the child's parent or legal guardian:

(a) Suicidal/homicidal ideation, gestures, or attempts that do not require professional medical treatment;

(b) Unexpected health problems that do not require professional medical treatment;

(c) Any incident of medication administered incorrectly;

(d) Physical assaults between two or more children that resulted in injury but did not require professional medical treatment;

(e) Runaways; and

(f) Use of physical restraints for routine behavior management.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1050, filed 3/26/03, effective 4/26/03.]

STAFFING RATIO

WAC 388-145-1060 What is the ratio of child care staff to children at a center? At all times, emergency respite centers must have the following minimum staffing ratios:

(1) At least two staff on duty when children are present; and

(2) One child care staff providing visual or auditory supervision for every four children in care.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1060, filed 3/26/03, effective 4/26/03.]

SUPERVISION OF CHILDREN

WAC 388-145-1070 What are the requirements for supervision of children at a center? (1) Emergency respite centers must provide or arrange for care and supervision that

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is appropriate for the child's age, developmental level, and condition.

(2) In emergency respite centers, children must be within visual and auditory range at all times.

(3) Emergency respite centers must supervise children who help with activities involving food preparation, based on their age and skills.

(4) Preschool children and children with severe developmental disabilities must not be left unattended in a bathtub or shower at an emergency respite center.

(5) Staff, volunteers, and others caring for children at an emergency respite center must provide the children with:

- (a) Appropriate adult supervision;
- (b) Emotional support;
- (c) Personal attention; and
- (d) Structured daily routines and living experiences.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1070, filed 3/26/03, effective 4/26/03.]

STAFF POSITIONS AND QUALIFICATIONS

WAC 388-145-1080 What are the responsibilities of the director? (1) The director of an emergency respite center is responsible for the overall management of the center's facility and operation.

(2) The director serves as the administrator of the center.

(3) The director must ensure the emergency respite center complies with the licensing requirements contained in this chapter.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1080, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1090 Are there general qualifications for all staff in an emergency respite center? You, your staff, and other persons at an emergency respite center who have access to the children must be able to demonstrate the understanding, ability, personality, emotional stability, and physical health suited to meet the cultural, emotional, mental, physical, and social needs of the children in care.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1090, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1100 What are the minimum qualifications and training requirements for center staff?

Position	Qualifications	Background Check	TB Test	Food Handlers Permit	First Aid and CPR	HIV/AIDS and Bloodborne Pathogens Training
Director or program supervisor	<ul style="list-style-type: none"> •Twenty-one years of age; •Bachelor's degree; or •Five years of experience in child development, social service or related field. 	X	X	X	X	X
Primary child care worker	<ul style="list-style-type: none"> •Twenty-one years of age; •High school diploma or GED; •Two years of experience caring for children; or •Twenty hours training child development. 	X	X	X	X	X
Child care assistant	<ul style="list-style-type: none"> •Eighteen years of age; •High school diploma or GED; •One year of experience caring for children; or •Twenty hours training if obtained within first year of employment. 	X	X	X	X	X
Work study students	<ul style="list-style-type: none"> •Sixteen years of age; •Involved in an education-related program; and •Supervised by primary or child care assistant. 	X	X	X	X	X

Position	Qualifications	Background Check	TB Test	Food Handlers Permit	First Aid and CPR	HIV/AIDS and Bloodborne Pathogens Training
Case manager	Bachelor's degree in social services, child development, or related field; recommended position, not required.	X	X	X	X	X
Volunteers	•Sixteen years of age. •Supervised at all times.	X	X	X	Recommended training	X

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1100, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1110 May one person hold two positions at a center? (1) The director and program supervisor may be one and the same person when qualified for both positions.

(2) The director and program supervisor may also serve as child care staff when the role does not interfere with the director's or program supervisor's management and supervisory responsibilities.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1110, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1120 Who must be on the premises while children are in care at a center? (1) The director, program supervisor, or case manager at an emergency respite center must normally be on the premises during daytime hours when children are in care.

(2) If temporarily absent (for two hours or less) from the center, the director and program supervisor must leave a competent, designated staff person in charge. This person must meet the qualifications of primary child care staff person.

(3) During evening, overnight, and weekend shifts, at least one of the staff on the premises must be a primary child care worker when children are present. The other staff may be a child care assistant. The director, program supervisor, or case manager must be on-call and able to respond by telephone within fifteen minutes.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1120, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1130 Are child care assistants allowed to provide care to a group of children without supervision? (1) You may assign a child care assistant to support lead child care staff at an emergency respite center.

(2) No person under eighteen years of age may be assigned sole responsibility for a group of children at an emergency respite center.

(3) Any child care assistant under twenty-one years old may care for a child or group of children without direct supervision for up to fifteen minutes.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1130, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1140 Are volunteers allowed to provide child care to children without supervision? The volunteer at an emergency respite center must care for a child

only under the direct supervision of the primary child care staff person or program director.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1140, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1150 Do volunteers count in the staff-to-child ratio respite center? You may count the volunteer in the staff-to-child ratio when the volunteer meets the required staff qualifications at an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1150, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1160 Are professional consultants and case managers needed? (1) Emergency respite centers may have consultants and case managers available, as needed, to work with the staff, the children you serve, and the children's families. Any consultants or case managers must meet the full professional competency requirements in their respective fields. The consultants and case managers must have:

(a) The training, experience, knowledge and demonstrated skills in each area that he or she will be advising;

(b) The ability to ensure that your staff develop their skills and understanding needed to effectively manage their cases;

(c) Knowledge of mandatory child abuse and neglect reporting requirements; and

(d) Training and experience in early childhood education.

(2) Consultants and case managers may be hired as staff or operate under a contract with an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1160, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1170 What clerical, accounting and administrative services do I need? You must have sufficient clerical, accounting and administrative services to maintain proper records and carry out your program at an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1170, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1180 What support and maintenance staff do I need? You must have sufficient support and maintenance services to maintain and repair your facility and prepare and serve meals at an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1180, filed 3/26/03, effective 4/26/03.]

ON-GOING STAFF TRAINING

WAC 388-145-1190 Is in-service training required for staff? (1) You must offer in-service training programs for developing and upgrading staff skills.

(2) If you have five or more employees or volunteers, your training plan must be in writing.

(3) You must discuss with the staff your policies and procedures as well as the rules contained in this chapter.

(4) You must provide or arrange for your staff to have training for the services that you provide to children under your care.

(5) Your training on behavioral management must be approved by DLR and must include nonphysical age-appropriate methods of redirecting and controlling behavior, as described in the department's behavior management policy.

(6) Your training must include monthly practice of fire drills and disaster training for each staff.

(7) You must record the amount of time and type of training provided to staff.

(8) This information must be kept in each employee's file or in a separate training file.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1190, filed 3/26/03, effective 4/26/03.]

PROGRAM ACTIVITIES AND TOYS

WAC 388-145-1200 What are the requirements for an activity program? (1) You must provide an activity program at an emergency respite center that is designed to meet the developmental, cultural, and individual needs of the children served at an emergency respite center.

(2) You must ensure the emergency respite center's activity program allows time for children to have daily opportunities for small and large muscle activities and outdoor play.

(3) You must provide a written outline of planned activities, allowing flexibility for special events and specific child circumstances.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1200, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1210 What activities must I provide to children? (1) Activities must be designed for the developmental stages of the children you serve at an emergency respite center, allowing a balance between:

- (a) Child-initiated and staff-initiated activities;
- (b) Free play and organized events;
- (c) Individual and group activities; and
- (d) Quiet and active experiences.

(2) You must ensure that children at an emergency respite center are grouped to ensure the safety of children.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1210, filed 3/26/03, effective 4/26/03.]

WAC 388-145-1220 What types of toys must I provide? (1) You must provide safe and suitable toys and equip-

ment for all children in your care at an emergency respite center.

(2) You must have toys that relate to the different developmental stages of the children you serve at an emergency respite center.

[Statutory Authority: RCW 74.15.280, 74.15.020 and 2001 c 230. WSR 03-08-026, § 388-145-1220, filed 3/26/03, effective 4/26/03.]