

WAC 110-302-0025 Certified and exempt ONB programs. (1) Pursuant to RCW 43.216.010(2), the department must not license ONB programs that are legally exempt from licensing pursuant. However, if ONB programs request to become certified by the department, the department must apply all licensing rules to the otherwise exempt programs. In such a case, the department must apply licensing rules equally to licensed and certified ONB programs.

(2) The department may certify for subsidy payment only, an otherwise exempt ONB programs without further inspection if the ONB programs are:

(a) A part of a tribal program that is subject to health and safety oversight as approved by the United States Department of Health and Human Services under the tribal program's Child Care Development Fund (CCDF) Plan and the tribal program is licensed or monitored by an Indian tribe, band, nation, or other organized community of Indians, including an Alaska native village as defined in 43 U.S.C. Sec. 1602(c), recognized as eligible for services by the United States Secretary of the Interior;

(b) Certified by the DOD; or

(c) Approved by the OSPI.

(3) ONB programs exempt from licensing pursuant to RCW 43.216.010(2) must use the department's form to submit their exempt status.

(4) ONB programs requesting certification must be located on the premises over which the tribe, DOD, or OSPI has jurisdiction.

(5) ONB programs regulated by a tribe, the DOD, or OSPI may request certification:

(a) For subsidy payment only; or

(b) As meeting the requirements otherwise detailed in this chapter.

(6) The department must not certify a department employee or a member of their household when the employee is involved directly, or in an administrative or supervisory capacity, in the:

(a) Certification process;

(b) Placement of a child in a certified ONB program; or

(c) Authorization of payment for the child in care.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0025, filed 5/1/23, effective 6/1/23.]