

WAC 110-302-0425 Initial, nonexpiring, dual licenses, and license modifications. (1) The department may issue an initial license when ONB program applicants demonstrate compliance with health and safety requirements described in this chapter, but may not be in full compliance with all other requirements, pursuant to RCW 43.216.315.

(a) An initial license is valid for six months from the date issued.

(b) At the department's discretion, an initial license may be extended for up to three additional six-month periods, not to exceed a total of two years.

(c) The department must evaluate the ONB provider's ability to follow requirements contained in this chapter during the initial license period.

(2) The department may issue a nonexpiring license to a licensee operating under an initial license who demonstrates compliance with the requirements described in this chapter during the period of initial license, pursuant to RCW 43.216.305.

(3) Licensees must submit annual compliance documents at least 30 calendar days prior to their anniversary dates. The anniversary date is the date the first initial license was issued. The required annual compliance documents are:

(a) The annual nonrefundable license fee; and

(b) A declaration on the department's form indicating:

(i) The intent to continue operating a licensed ONB program;

(ii) The intent to cease operation as a licensed ONB program;

(iii) A change in the ONB program's operational hours or dates;

and

(iv) The intent to comply with all licensing rules.

(c) Documentation of completed background check applications as determined by the department's established schedule, pursuant to RCW 43.216.270; and

(d) For each individual required to have a background check clearance, ONB providers must verify current background checks or require the individual to submit a background check application at least 30 calendar days prior to the anniversary date.

(4) If a licensee fails to comply with the requirements for continuing a nonexpiring license by their anniversary date, the licensee's current license expires. ONB providers whose licenses have expired must submit new applications for licensure, pursuant to RCW 43.216.305(3).

(5) Nothing about the nonexpiring license process in this section may interfere with the department's established monitoring practices, pursuant to RCW 43.216.305 (4) (a).

(6) A licensee does not have a right to an adjudicative proceeding to appeal the expiration, nonrenewal, or noncontinuation of a non-expiring license if the expiration, nonrenewal, or noncontinuation was caused by the licensee's failure to comply with the requirements of this section.

(7) Licensees must have department approval to hold dual licenses, such as an ONB license and another care giving license, certification, or similar authorization.

(8) If the department determines that a licensee is not in compliance with all the requirements described in this chapter and chapter 43.216 RCW, the licensee may relinquish any license, certification, or authorization they hold. Despite the licensee's agreement to relinquish one of the licensee's certifications, authorizations, or licenses:

(a) The department and licensee may agree to modify the ONB program license; or

(b) The department may suspend, deny, or revoke the ONB program license.

(9) ONB providers must report the information described in this subsection within 24 hours of when they are aware or should be aware of such information.

(a) To the department and local authorities: A fire or other structural damage to the ONB program space or other parts of the premises, including a natural disaster affecting an ONB program space;

(b) To the department:

(i) A retirement, termination, death, incapacity, or change of the director, program director, assistant director, site director, or program supervisor, or change of ownership or incorporation of an ONB provider;

(ii) When ONB providers become aware of a charge or conviction against themselves or a staff person, pursuant to WAC 110-06-0043;

(iii) When ONB providers become aware of an allegation or finding of abuse, neglect, maltreatment, or exploitation of a child or vulnerable adult made against themselves or a staff person; and

(iv) Any changes in the ONB program hours of operation to include closure dates.

(10) Prior to increasing the capacity of an ONB program, the licensee, director, program director, assistant director, site director, or program supervisor must request and be approved to increase capacity by the department.

(11) The licensee, director, program director, assistant director, site director, or program supervisor must have state fire marshal or department approval, and comply with local building ordinances following a significant change under WAC 110-302-0402 (1)(a) through (c), if applicable.

(12) The licensee, director, program director, assistant director, site director, or program supervisor must notify the department within 30 calendar days when liability insurance coverage under RCW 43.216.700 has lapsed or been terminated.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0425, filed 5/1/23, effective 6/1/23.]