

**PURPOSE OF THE
TECHNICAL
ASSISTANCE AND
CONSULTATION
MANUAL**

The Bureau of Children and Adult Licensing provides a Technical Assistance and Consultation Manual on the Licensing Rules for Child Care Centers and the Licensing Rules for Family and Group Child Care Homes. This manual is on the rules for family and group child care homes.

For each rule, you will typically find a rationale section, a technical assistance section and a consultation section. The rationale section describes the reason the rule was enacted. The technical assistance section outlines how to comply with the rule. The consultation section contains recommendations and best practices for going beyond rule requirements to improve the quality of care provided.

**SEPTEMBER 1,
2014 UPDATE**

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Revision date was updated on R 400.1941.

Rule 1941

Clarifying information on pressurized and open air wood boilers was added.

**Maintenance
Instructions**

Table of Contents and rules 400.1941

Replace the entire section.

R400.1901	Definitions. [Revised 7/1/09]
R400.1902	Caregiver and child care home family. [Revised 3/1/11]
R400.1903	Caregiver responsibilities. [Revised 2/1/13]
R400.1904	Assistant caregivers. [Revised 10/1/11]
R400.1905	Training. [Revised 4/3/13]
R400.1906	Records of caregiving staff and child care home family; record maintenance. [Revised 2/1/13]
R400.1907	Children's records. [Revised 6/1/14]
R400.1908	Capacity. [Revised 7/1/09]
R400.1909	Concurrent licensing. [Revised 4/1/14]
R400.1910	Ratio of caregiving staff to children. [Revised 7/1/09]
R400.1911	Supervision. [Revised 10/1/11]
R400.1912	Infant supervision and sleeping. [Revised 7/1/09]
R400.1913	Discipline and child handling. [Revised 6/1/14]
R400.1914	Daily activity program. [Revised 4/1/14]
R400.1915	Indoor space; play equipment and materials. [Revised 4/1/14]
R400.1916	Bedding and sleeping equipment. [Revised 6/1/14]
R400.1917	Telephone. [Revised 7/1/09]
R400.1918	Medication; administrative procedures. [Revised 10/1/11]
R400.1919	Communicable disease. [Revised 6/4/10]
R400.1920	Outdoor play area and equipment. [Revised 11/1/10]
R400.1921	Water hazards and water activities. [Revised 3/1/11]
R400.1922	Nighttime care. [Revised 7/1/09]
R400.1923	Diapering and toilet learning. [Revised 6/4/10]
R400.1924	Hand washing. [Revised 11/1/10]
R400.1931	Food preparation and service. [Revised 8/1/12]
R400.1932	Home maintenance and safety. [Revised 12/1/12]

R400.1933	Water supply; sewage disposal; water temperature. [Revised 11/1/10]
R400.1934	Heating; ventilation; lighting. [Revised 11/1/10]
R400.1935	Firearms. [Revised 7/1/09]
R400.1936	Animals and pets. [Revised 7/1/09]
R400.1941	Heat-producing equipment. [Revised 9/1/14]
R400.1942	Electrical service; maintenance. [Revised 7/1/09]
R400.1943	Exit and escape requirements for each floor level used by children. [Revised 7/1/09]
R400.1944	Smoke detectors; fire extinguishers. [Revised 11/1/10]
R400.1945	Fire; tornado; serious accident and injury plans. [Revised 9/1/13]
R400.1951	Transportation. [Revised 12/1/12]
R400.1952	Parent permission and notification required; child information cards when off-premises. [Revised 7/1/09]
R400.1961	Parent notification of incidents, accidents, illness, or disease required; isolation; sanitation. [Revised 6/4/10]
R400.1962	Department notification of injury, accident, illness, death, or fire. [Revised 11/1/10]
R400.1963	Rule variance. [Revised 7/1/09]

R 400.1941 (1) Heat-producing equipment.

(1) All flame-producing and heat-producing equipment, including, but not limited to the following shall be maintained in a safe condition and shielded to protect against burns:

- (a) A furnace.**
- (b) A water heater.**
- (c) A fireplace.**
- (d) A radiator and pipes.**
- (e) Wood burning equipment.**

Rationale Assures for the safety and well-being of children.

Technical Assistance When using flame- or heat-producing equipment during child care hours, the caregiver is responsible and accountable for assuring that:

- A barrier is used to shield the flame- or heat-producing equipment.
- The barrier does not get hot.
- The barrier is stable and firmly secured.
- The barrier does not allow children access to any part of the flame- or heat-producing equipment, including the pilot light.
- There is proper ventilation for all wall mounted gas heating units.

Note: Heat can be retained for as long as 20 hours after the use of a wood burner creating a potential hazard for young children.

R 400.1941 (2) Heat-producing equipment.

(2) Combustible materials and equipment shall not be stored within 4 feet of furnaces, other flame or heat-producing equipment, or fuel-fired water heaters.

Rationale Assures for the safety and well-being of children as combustible materials fuel fires.

Technical Assistance Combustible material and equipment means anything that will burn, including, but not limited to, paper, cardboard, clothing, wood items, plastics, sleeping cots and mattresses.

Permanent structures within four feet of the furnace or water heater, such as walls, permanently attached shelves, workbenches, etc. do not need to be moved. However, any combustible items on or stored in these structures need to be moved.

Consultation Caregivers may want to mark off a four foot perimeter around any flame- or heat-producing equipment with tape on the floor as a reminder of where not to store combustible items.

R 400.1941 (3)**Heat-producing equipment.**

(3) Portable heating devices shall not be used when children are in care.

Rationale:

Assures for the safety and well-being of children and the caregiving staff.

Portable heating devices are a common cause of fires, burns and injuries.

Technical Assistance

A portable heating device is one that can be moved from wall to wall or room to room and must not be used when children are in care.

R 400.1941 (4)**Heat-producing equipment.**

(4) Furnaces, other flame or heat-producing equipment used to heat the home when children are in care, and fuel-fired water heaters shall be inspected by any of the following entities:

- (a) A licensed heating contractor for a fuel-fired furnace.**
- (b) A licensed heating contractor or licensed plumbing contractor for a fuel-fired water heater.**
- (c) A mechanical inspector for the local jurisdiction or licensed mechanical inspector for a wood stove or other solid fuel appliance.**

Rationale

Heating equipment is the second leading cause of ignition in fatal house fires.

Heating equipment that is routinely inspected and kept in good repair ensures that the equipment is working properly and is less likely to cause fires.

Technical Assistance

A licensed heating contractor is one that has been issued a mechanical contractor license by the Department of Energy, Labor & Economic Growth (DELEG). The license number will begin with 71.

A licensed plumbing contractor's license will begin with 81.

Boilers must be inspected by a boiler inspector from DELEG or an individual who has both a boiler license and a mechanical contractor license.

Note: Wood boilers (pressurized and open air) must be located outside of the home. Pressurized wood boilers must be inspected by a mechanical inspector as required by subrule (c) of this rule. This inspection must, at a minimum, include an inspection of the chimney, the pressure relief valve and the drip tube. If the wood boiler is connected to a fuel-

fired furnace, the fuel-fire furnace must also be inspected as required by subrule (a) of this rule or must be disconnected from its fuel supply. A copy of the initial installation inspection completed by a mechanical inspector as required by subrule (c) of this rule is all that is required for open air wood boilers.

In addition to furnaces and wood-burning stoves, all other flame- or heat-producing equipment requires documentation of an inspection if used to heat the home when children are in care. Equipment includes, but is not limited to:

- Built-in space heaters.
- Fireplaces (wood or gas).
- Fireplace insert burners.
- Thermal heaters.
- Pellet stoves.
- Heating units located in separate, out-buildings.

All fuel-fired water heaters also require documentation of an inspection.

For newly built homes, the occupancy permit is acceptable in lieu of an inspection.

For newly installed furnaces, installation documentation by a licensed mechanical contractor is acceptable in lieu of an inspection.

For newly installed furnaces where installation documentation is not available, the caregiver can submit a written statement that the final inspection sticker on the furnace is available for verification by the consultant during the on-site inspection. (This does not apply to family home renewals, as the consultant does not usually conduct an on-site inspection at renewal).

Electric heat does not require an inspection.

In many rural areas, the county plumbing/mechanical inspector is the person authorized to conduct inspections of solid fuel equipment.

R 400.1941 (5)

Heat-producing equipment.

(5) For group child care homes, the inspection specified in subrule (4) of this rule shall be conducted before the initial license issuance and every 2 years thereafter at the time of license renewal.

Rationale

Heating equipment is the second leading cause of ignition in fatal house fires.

Heating equipment that is routinely inspected and kept in good repair ensures that the equipment is working properly and is less likely to cause fires.

Technical
Assistance

Per departmental policy, inspections for furnaces and other flame- or heat-producing equipment and fuel-fired water heater must be dated within one year of initial group home license issuance and at renewal.

Note: DELEG requires boilers to be inspected every three years. Group homes can request a variance to this rule to obtain boiler inspections based on the three-year schedule set by DELEG.

For a new group home, an inspection for a furnace and other flame- or heat-producing equipment or fuel-fired water heater is not required at the six month (original provisional to regular license) renewal.

R 400.1941 (6)

Heat-producing equipment.

(6) For family child care homes, the inspection specified in subrule (4) of this rule shall be conducted before the issuance of the certificate of registration and every 3 years thereafter at the time of renewal.

Rationale

Heating equipment is the second leading cause of ignition in fatal house fires.

Heating equipment that is routinely inspected and kept in good repair ensures that the equipment is working properly and is less likely to cause fires.

Technical
Assistance

Per departmental policy, inspections for furnaces and other flame- or heat-producing equipment and fuel-fired water heater must be dated within one year of issuance of the certificate of registration and at renewal.