

**PROPOSED REGULATION OF THE
BOARD FOR CHILD CARE**

LCB File No. R047-98

April 7, 1998

EXPLANATION - Matter in *italics* is new; matter in brackets [] is material to be omitted.

AUTHORITY: §§1-7, NRS 432A.077.

Section 1. NAC 432A.425 is hereby amended to read as follows:

432A.425 1. The director or a designated member of the staff of a nursery for infants and toddlers or other facility that enrolls infants and toddlers shall discuss policies concerning the health of an infant or toddler with the parents before enrollment of the child. Every parent must be given a description of and agree in writing to the following matters concerning the child:

- (a) Feeding;
- (b) Diapering;
- (c) Changes of clothing, which are to be provided by the parents;
- (d) Bathing, including, without limitation, the kind of soap to be used;
- (e) Precautions against infectious disease;
- (f) Sleeping;
- (g) Toilet-training;
- (h) Daily reports to the parents;
- (i) Any special precautions regarding the health and safety of the child; and

(j) Any other information deemed necessary by the facility or the bureau.

2. A caretaker must be assigned to a specific group of infants on a continuing basis.

3. *Except as otherwise provided in paragraph (m) of subsection 1 of section 9 of LCB File No. R203-97, which was adopted by the board for child care and was filed with the secretary of state on April 1, 1998, each infant and toddler must be under direct visual observation by a qualified caretaker at all times.*

4. Each infant and toddler must be given undivided attention by the same caretaker for at least 30 minutes in the morning and 30 minutes in the afternoon, including periods of feeding and bathing. The caretaker shall, during this time:

(a) Hold and talk to the child;

(b) Encourage the development of the child's coordination by allowing him to reach for, grasp, creep, crawl or pull up;

(c) Give toddlers the opportunity to develop the large muscles of the body by activities such as climbing and walking; and

(d) Encourage the child to interact socially through playing, using language and solving problems using materials and equipment that are appropriate for the age of the child. Infants under 6 months of age must be provided an additional period of not less than 2 hours of activity each day out of the crib, for example, in a playpen or other suitable area.

[4.] 5. Each licensee of a facility [must] *shall* provide an indoor area which is *covered by a soft or nonabrasive carpet and is* protected from traveled walkways where crawling children can be on the floor for at least a part of the day.

[5.] 6. A caretaker may take the infant or toddler assigned to him outside or to areas of the facility other than their usual room for a part of each day to provide a change in their physical environment and to increase opportunities for social interaction.

[6.] 7. When weather permits, each toddler over 12 months of age must be taken outside for a portion of each day. If the weather is extremely hot, the toddler must be kept in a shaded area while outdoors.

[7.] 8. An infant who is awake must not be left in a crib for long periods without direct adult care and never for more than 30 minutes at a time.

[8.] 9. The staff of a nursery for infants and toddlers shall separate the infants from the toddlers while the toddlers are engaging in physical activities.

[9.] 10. There must be a resilient surface under equipment that is used for playing and climbing at a nursery for infants and toddlers. Such equipment must be appropriate for the age of the children using the equipment.

[10.] 11. The staff of a nursery for infants and toddlers shall promote the healthy development of toddlers by:

- (a) Expressing feelings with words;
- (b) Giving directions that are worded in a positive manner;
- (c) Modeling desirable behavior; and
- (d) Redirecting behavior.

[11.] 12. The staff of a nursery for infants and toddlers shall not discipline or punish an infant or toddler by confining him to a crib, high chair, playpen or other such piece of furniture or equipment.

[12.] 13. The staff of a nursery for infants and toddlers shall prepare a daily report for each infant less than 12 months of age for whom it provides care. The report must be posted in a conspicuous place in each room used to care for the infants and must include, without limitation, information concerning the feeding, diapering and sleeping of each infant.

Sec. 2. Section 3 of LCB File No. R203-97, which was adopted by the board for child care and was filed with the secretary of state on April 1, 1998, is hereby amended to read as follows:

Sec. 3. 1. Each area in a facility that is used for changing diapers must:

(a) Have a smooth, nonabrasive, impervious surface;

(b) *Be located within close proximity to a sink that is not used for the preparation of food;*

(c) Not be located in an area in which food is prepared;

[(c)] (d) Have a smooth, nonabsorbent floor covering;

[(d)] (e) Have nearby for wet or soiled diapers a washable receptacle that is lined with plastic and covered with a lid; [and

(e)] (f) Be kept in good repair and in a safe condition [.] ; and

(g) *Be cleaned and disinfected after each use by removing any visible soil and applying an approved disinfectant.*

2. *Each soiled cloth diaper and any soiled clothing must be stored in an individual plastic bag and be returned to the parents daily.*

3. The staff of a facility [shall discourage] :

(a) Shall discourage children from coming near an area that is used for changing diapers
[.] ; *and*

(b) Shall not leave a child unattended in the diaper changing area.

Sec. 3. Section 4 of LCB File No. R203-97, which was adopted by the board for child care and was filed with the secretary of state on April 1, 1998, is hereby amended to read as follows:

Sec. 4. 1. Each facility must have written procedures concerning the washing of hands.

2. The staff of a facility shall follow the procedures of the facility concerning the washing of hands and shall instruct, monitor and assist the children being cared for at the facility to ensure that the children follow the procedures.

3. The procedures concerning the washing of hands must require, without limitation, that:

(a) The staff of the facility wash their hands with soap *from a dispenser* and *warm* water:

(1) Any time that their hands come into contact with blood, mucus, vomit, feces or urine;

(2) Before preparing or handling food;

(3) Before engaging in any activity related to serving food, including, without limitation, setting the table;

(4) Before and after eating a meal or snack;

(5) After using the toilet, helping a child use the toilet or changing a diaper *with or* without gloves;

(6) After attending to an ill child; and

(7) After handling an animal.

(b) The children being cared for in the facility wash their hands with soap *from a dispenser* and *warm* water:

(1) Any time that their hands come into contact with blood, mucus, vomit, feces or urine;

(2) Before handling food;

(3) Before and after eating a meal or snack; and

(4) After handling an animal.

(c) The staff of the facility shall ensure that:

(1) Each bathroom has running water, soap and single-use or disposable towels; and

(2) Any common basin or sink which is filled with standing water is not used for the washing of hands.

Sec. 4. Section 6 of LCB File No. R203-97, which was adopted by the board for child care and was filed with the secretary of state on April 1, 1998, is hereby amended to read as follows:

Sec. 6. 1. A carpeted floor or rug on a floor that is too large to wash in a washing machine must be vacuumed not less than one time each day or more often if necessary and professionally cleaned not less than one time every 3 months or more often if necessary.

2. Each floor of a facility that is not carpeted must be swept and mopped not less than one time each day or more often if necessary.

3. When cleaning a nonporous surface in a facility, including, without limitation, cleaning toys, cribs, tables, high chairs and surfaces used to change diapers, the staff of the facility shall:

- (a) Clean the surface first with soap and water to remove any dirt or debris; and
- (b) Disinfect the surface with a disinfecting agent that is prepared fresh daily and is sprayed onto the surface by a bottle.

4. The disinfecting agent used pursuant to subsection 3 must *be prepared fresh daily and must* consist of:

- (a) One-fourth of a cup of liquid chlorine bleach added to 1 gallon of water;
- (b) One tablespoon of liquid chlorine bleach added to 1 quart of water; or
- (c) A solution that is approved by the appropriate state or local agency and is at least as effective as the solutions described in paragraphs (a) and (b).

Sec. 5. Section 8 of LCB File No. R203-97, which was adopted by the board for child care and was filed with the secretary of state on April 1, 1998, is hereby amended to read as follows:

Sec. 8. 1. The staff of each facility shall:

- (a) Provide appropriate and adequate seating for the children at the facility during snacks and meals;
- (b) If a high chair is used, ensure that the chair:
 - (1) Is in good condition;
 - (2) Has a wide base; and
 - (3) Has a safety belt for the child;

(c) Wash with a detergent and disinfect after each use any chair or table that is used during a snack or meal;

(d) Allow, encourage and assist each child to feed himself, including, without limitation, encouraging a child to hold and drink from a cup, use a spoon and use his fingers to feed himself;

(e) Offer each child drinking water at times other than during his regular feedings;

(f) **[Transfer commercially prepared baby food from a jar to a dish before feeding it to a child;**

(g) Discard any food that is left in a dish after a meal;

(h) **(g)** Store each bottle of formula and container of food in accordance with the instructions from the manufacturer of the formula or food;

(i) **(h)** Label each bottle of formula and container of food with the name of the child to whom it belongs and the date the formula or food was prepared by the facility or was prepared or purchased by the parent;

(j) **(i)** Immediately refrigerate and label each container of breast milk provided by a parent;

(k) **(j)** Return each bottle and *any unused* container of food to the appropriate parent each day; and

(l) **(k)** Develop with the parents of a child a plan for feeding the child, which must include, without limitation:

(1) Instructions for feeding;

(2) Any special dietary restrictions, including, without limitation, any allergies to food;

(3) A schedule of times for feeding;

(4) Whether the child will be fed breast milk, formula or solid food;

(5) If the child will be fed breast milk or formula, when to begin feeding solid food;

and

(6) Likes and dislikes of certain foods.

2. A child who is fed with a bottle and does not hold his own bottle must be held by a caretaker while being fed with a bottle. The bottle must not be propped for feeding. A child who demonstrates a preference for holding a bottle during feeding may hold his own bottle and need not be held by a caretaker if the caretaker is directly observing the child.

3. The staff of a facility may feed a child commercially prepared baby food directly from the jar in which it was packaged or from a separate dish. If the staff feeds the child from the jar, the staff shall discard the jar after it is empty.

Sec. 6. Section 9 of LCB File No. R203-97, which was adopted by the board for child care and was filed with the secretary of state on April 1, 1998, is hereby amended to read as follows:

Sec. 9. 1. The staff of each facility shall:

(a) Use a safe, sturdy, well-constructed, single-level, free-standing crib, portable crib or playpen for children to sleep in;

(b) Equip any such sleeping device with a waterproof, firm-fitting mattress;

(c) Ensure that each crib to be used by a child who is 6 months of age or younger is constructed with vertical slats that are not more than 2 3/8 inches apart;

(d) Ensure that a child who 18 months of age or younger sleeps in a crib which is appropriate for his age or in another sleeping device which has been approved by the bureau;

(e) Ensure that a child who is older than 18 months of age sleeps in an appropriate crib or on a cot or mat;

(f) Ensure that each sleeping device has appropriate bedding and a waterproof and washable covering;

(g) Wipe clean each sleeping device with a disinfectant not less than one time each week or more often if necessary;

(h) Ensure that the bedding that each child uses is used only for that particular child;

[(j)] (i) Replace the bedding each time it is wet or soiled by a child or when the sleeping device is to be used by another child; **[and]**

(j) Within 15 minutes after a child in a crib has awakened from a nap, take the child out of the crib and engage him in an appropriate activity;

(k) Ensure that each child takes a nap as needed **[.]** ;

(l) Ensure that each napping child is in an area from which the staff can readily hear and see the child; and

(m) Ensure that each napping child is checked by a caretaker not less than one time every 15 minutes.

2. The staff of a facility shall not change the diaper of a child in a crib or other sleeping device.

Sec. 7. 1. A person who was approved before April 1, 1998, as:

(a) Director of a facility for which a director is required other than an accommodation facility or a family or group home;

(b) Director of a nursery for infants and toddlers;

(c) Program director of a preschool; or

(d) Director of a special needs facility,

is not required to satisfy the amendatory provisions regarding the qualifications of directors set forth in LCB File No. R203-97, which was adopted by board for child care and was filed with the secretary of state on April 1, 1998, so long as the person remains at the facility in that capacity.

2. If the person wishes to become director of a different facility or of a different program within his current facility, he must satisfy the amendatory provisions regarding the qualifications of directors set forth in LCB File No. R203-97, which was adopted by the board for child care and was filed with the secretary of state on April 1, 1998.