



NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
MS State Department of Health

MISSISSIPPI
SECRETARY OF STATE

MS State Department of Health
c/o Vickey Maddox
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Jackson, MS 39215-1700

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Telephone Number

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Email Address

Specific Legal Authority Authorizing the promulgation
of Rule: §43-20-8(1)(a)

Reference to Rules repealed, amended or suspended by
the Proposed Rule: Regulations Governing Licensure of
Child Care Facilities

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The first amendment changes the requirements for a "Temporary License" to be issued by the Department. The second amendment clarifies the requirements regarding criminal history records checks, sex offender record checks, and child abuse central registry checks. In addition, it sets time limits as to when the required documents have to be submitted to the proper agencies. Further, it extends the expiration date of the Letter of Suitability for employment under certain circumstances. The third amendment requires all licensed child care facilities to have an outdoor playground area. The amendment provides for "grandfathering" existing licensed facilities that do not have an outdoor playground area.

This rule is proposed as a [ ] Final Rule, and/or a [ ] Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding (Check one box below):

- [ ] An oral proceeding is scheduled on this rule on Date: April 1, 2009 at Time: 2:00 p.m., at Location: 570 E. Woodrow Wilson Blvd, Jackson, MS.

If you wish to be heard and present evidence at the oral proceeding, you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

- [ ] An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement (Check one box below):

- [ ] The agency has determined that an economic impact statement is not required for this rule, or
- [ ] The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: 8 April 2009

Proposed Effective Date of Rule: 01 July 2009

Vickey Maddox, Office Director
Printed Name/Title of Person Submitting Rule for Filing

Vickey J. Maddox
Signature

**SUMMARY OF AMENDMENTS TO  
Regulations Governing Licensure of Child Care Facilities**

Amendment	EXPLANATION OF CHANGE
#1	Amendment to <b><u>Title 15, Part III, Subpart 55, Chapter 01, Section 101 LICENSURE</u></b> , Subsection 101.02, 1. - The amendment changes the items required to be submitted, completed, and approved by the department before a "Temporary License" is issued.
#2	Amendment to <b><u>Title 15, Part III, Subpart 55, Chapter 01, Section 104 PERSONNEL REQUIREMENTS</u></b> , Subsection 104.02, 1.-6. - The amendment clarifies the requirements regarding criminal history records checks, sex offender record checks, and child abuse central registry checks. The amendment places a time limit on when the fingerprint cards and child abuse central registry checks have to be submitted to the appropriate authorities. In addition, the amendment provides for the continuing approval of a the Letter of Suitability for employment beyond the usual five year limit as long as the individual remains employed by the provider of origin and there is no break in service.
#3	Amendment to <b><u>Title 15, Part III, Subpart 55, Chapter 01, Section 110 BUILDING AND GROUNDS</u></b> , Subsections 110.09 & 110.10, - The amendment removes the provision for an indoor playground when there is not enough room for an outdoor playground area. The amendment "grandfathers" in existing facilities that have only an indoor playground area.