		pliant NA = Non Applicable				
Date of Inspection:						
Section F	Regulation#	Reg Description	С	NC	NA	Description NC
§78-20-4.						
Greatificate of						
Registration						
•	4.1.	Application for Registration.				
		Initial The department shall issue an initial certificate of registration to an				
		informal or relative family child care home upon application and compliance with				
4	4.1.a.	this rule.				
		Renewal The department shall issue a renewal of the certificate of registration				
		to an informal or relative family child care home upon application for renewal,				
		which shall be submitted at least 30 days before expiration of the current				
	4.1.b.	certificate.				
	4.2.	General Requirements.				
		An informal or relative family child care home shall be registered under the name				
	4.2.a	of only one caregiver per residence.				
		An informal or relative family child care home shall be located in the residence of				
4	4.2.b.	the caregiver.				
		An informal or relative family child care home shall comply with the provisions of				
	4.2.c.	this rule.				
		Departmental Action on Applications for Registration Within 60 days of receipt				
		of an application for certificate of registration, the secretary shall provide a written				
	12	decision to the informal or relative family child care home that does one of the				
 	4.3.	following:				
		Issues a regular certificate of registration if the informal or relative family child				
	4.3.a.	care home certifies compliance with all of the requirements of this rule; or				
	+.J.a.	Denies a certification of registration if the informal or relative family child care				
		home does not certify substantial compliance with all of the requirements of this				
	4.3.b.	rule.				
	4.4.	Terms and Conditions of Registration.				
		A certificate of registration is not transferable to another informal or relative family				
	4.4.a	child care home.				
		A certificate of registration applies only to the informal or relative family child care				
4	4.4.b.	home at the location identified in the application.				
		An informal or relative family child care home shall show its certificate of				
4	4.4.c.	registration to parents and the public upon request.				
		The department shall maintain a record of all substantiated complaints against				
		registered informal or relative family child care homes and subsequent corrective				
		action. The department will provide this record to parents and the public upon				
4	4.4.d.	request.				
		A regular certificate of registration is valid for a period of up to two years from the				
	4.4.e.	date of issuance unless revoked.				
4	4.5.	Limitations on a Certificate of Registration.				
	4.5 -	Based on the findings below, the secretary may place limitations on a certificate of				
	4.5.a.	registration:				
	4.5.a.1.	Provision of other home-based services, such as foster care and adult family care;				
	+.U.d. I.	or Non-compliance issues that require a corrective action plan approved by the				
]	4.5.a.2.	secretary.				
	4.5.a.z. 4.5.b.	The limitations may apply to:				
	4.5.b.1.	The age, gender, and type of problems of children in care;				
	4.5.b.2.	The intake of additional children; or				
	4.5.b.3.	The total number of children in the home.	İ			
	4.6.	Waivers and Variances.				
		An informal or relative family child care home may request a waiver or variance of				
	4.6.a	any requirement in this rule if:				
		The health, safety, or well-being of children in the home is not adversely affected;				
	4.6.a.1.	and				
	4.6.a.2.	The rule does not prohibit a waiver or variance for the requirement.				
		If the caregiver wishes to request a waiver or variance, the caregiver shall submit				
	4.0.1	a written request addressed to the secretary that includes the following				
	4.6.b.	information:				
	4.6.b.1.	The specific requirement to be waived or varied;	1			
	4660	The reasons for seeking a waiver or variance and why a specific requirement				
<u> </u>	4.6.b.2.	should not be applied in a particular circumstance; and	-			
		The reasons for seeking a variance and how compliance with a specific				
		requirement of this rule can be accomplished in a manner different from that set forth in W. Va. Code §49-2-101 et seq., W. Va. Code §49-2-202 et seq., or in this				
]	4.6.b.3.	rule.				
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§78-20-5.					
Inspection					
and		A caregiver shall allow a reasonable on-site monitoring inspection by the			
Investigation.		department.			
	5.2.	The department may conduct inspections with or without advance notice.			
		During inspections, the caregiver shall provide access to the premises and to all			
		aspects of the informal or relative family child care home operation, including the			
	5.3.	children in care and the household members.			
		An informal or relative family child care home shall ensure that its records are			
	5.4.	available in easily accessible files for inspection.			
		An informal or relative family child care home shall cooperate in the investigation			
	5.5.	of complaints against the home.			
§78-20-6.					
Caregiver,					
Substitute,					
and					
Household					
Member					
Requirement					
s.	6.1.	General Requirements.			
	6.1.a.	The caregiver or substitute shall be:			
	6.1.a.1.	At least 18 years of age; and			
		Able to read and write or have another adult present in the home, during the hours			
	6.1.a.2.	of care, who is able to read and write.			
		The caregiver or substitute shall ensure that alcoholic beverages or illegal			
	1	substances are not used, and that no one present in the home is under the			
	6.1.b.	influence of those substances during the time children are in care.			
	J	and an area of the second of t			
		A caregiver or substitute may not be impaired by any substance, medication, or			
	6.1.c.	medical cannabis to a level that would impair his or her ability to care for children.			
	0.1.6.	medical califiable to a level that would impair his of her ability to care for children.			
		The caregiver may only use a substitute to provide care for children during			
		The caregiver may only use a substitute to provide care for children during emergency situations, illness, and during occasional non-emergency situations			
	6.1.d.				
	0. I.u.	such as vacations, child care training, and medical appointments.			
	0.4 -	A caregiver shall be physically present at the informal or relative family child care			
	6.1.e.	home and within sight or hearing of all children in care.			
	6.2.	Health Requirements.			
		The caregiver shall, at his or her own cost, obtain a statement of good health from			
		a licensed physician within 30 days of application for a certificate of registration			
		and upon application for renewal of the certificate of registration. Statements of			
		good health may be dated up to six months prior to application or renewal. The			
		caregiver shall submit a copy of the medical report to the department and retain			
	6.2.a.	the original for the caregiver's files.			
		If an investigation determines a caregiver or household member may have a			
		physical, mental, or emotional condition that could negatively impact the care of			
		children, the caregiver shall provide a current physical or psychological			
		examination report from a licensed physician or a licensed mental health			
1		professional assessing the condition and its impact on the provision of care for			
	l	children, which will be used by the department to determine whether to continue,			
	6.2.b.	deny, or place limits on the certificate of registration.			
	6.3.	Training Requirements.			
	1	An informal relative caregiver shall complete approved pre-service health and			
	6.3.a.	safety training prior to providing care.			
	1	A relative caregiver shall complete an initial two hours of approved health or			
	6.3.b.	safety training within 30 days of application.			
1		Informal and relative caregivers shall obtain approved training in pediatric			
	1	cardiopulmonary resuscitation (CPR) and first aid within three months of initial			
	6.3.c.	registration;			
1		Informal and relative caregivers may obtain approved health and safety training			
	1	through the local child care resource and referral agency or the local child and			
	6.3.d.	adult care food program.			
		Thereafter, a caregiver shall annually complete at least one hour of self-directed			
	6.3.e.	study related to child development.			<u></u>
		A caregiver providing care for children under 13 months of age shall, within 60			
1	6.3.f.	days of accepting the child into care, complete either:			
	6.3.f.1.	A Sudden Infant Death Syndrome self-study packet; or			
	6.3.f.2.	Other approved Sudden Infant Death Syndrome training.			
	6.4.	Background Checks.			
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	- <i>1</i>	Heating. Unvented gas heaters may be used as a source of heat when both of the			
	7.4.	following requirements are met:			
	7.4.a.	A properly functioning digital carbon monoxide detector has been installed in a central location in the home; and			
	7.4.a.	The heater is equipped with an oxygen depletion sensor that automatically shuts			
	7.4.b.	the heater off if a hazardous level of carbon monoxide accumulates.			
	7.5.	Pets and Animals. An informal or relative family child care home shall:			
		Confine animals that are sick, aggressive, or injured in an area not accessible to			
	7.5.a.	children;			
		Keep pets such as birds, ferrets, reptiles, or wild animals in an area of the home			
		or the premises that is not accessible to children and away from food preparation			
	7.5.b.	areas; and			
	7.5 -	Keep documentation available on site of rabies vaccinations for all cats and dogs			
	7.5.c.	kept on the premises. When pets are living in the home, an acknowledgement must be signed by a			
		parent of all children in care verifying that the following information was made			
		available: the type of pet, breed of pet, spay/neuter status, and vaccination status.			
		The caregiver must notify parents two weeks prior to a new pet being brought into			
	7.5.d.	the home.			
		Play Areas. Indoor and outdoor play areas shall be free from vehicle traffic and			
	7.6.	unsanitary or hazardous items.			
	7.7.	Electrical Safety.			
	770	Caregivers shall install protective covers on all unused electrical outlets			
<u> </u>	7.7.a.	accessible to children who are under five years of age. Extension cords shall be maintained in good condition, UL approved, and not run			
		extension cords shall be maintained in good condition, UL approved, and not run under carpets or rugs, or through common walkways unless stabilized to prevent			
	7.7.b.	tripping.			
§78-20-8. Fire					
0	8.1.	One working smoke detector shall be installed on every level of the home.			
		An ABC-rated multi-purpose fire extinguisher shall be available in the home at all			
	8.2.	times.			
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§78-20-9.		Health. The caregiver shall obtain from the shild's parent a record of each shild's			
Health, Sanitation,		Health The caregiver shall obtain from the child's parent a record of each child's health examinations and immunizations and maintain the information in a file			
and Nutrition	9 1	according to the following guidelines:			
una matricon	0.11	A general medical examination shall be obtained for all children within 30 days of			
		admission to the home. The examination may be completed no more than six			
	9.1.a.	months prior to the child's admission to the home.			
		The caregiver shall provide parents with a WV HealthCheck periodicity chart for			
		child health exams and shall obtain from the parent a new health assessment			
	0.41	updated with new or current information at least every two years for any child			
	9.1.b.	under the age of six years. Immunization records shall be completed and updated according to the schedule			
	9.1c.	recommended by the department.			
	0.10.	recommended by the department.			
		If immunizations are not current, the caregiver shall obtain a schedule for			
		completion from the parent for the informal or relative family child care home's			
		files, unless the parent provides written documentation from a physician that			
		immunizations are contraindicated due to the child's medical condition. A grace			
	0.4 -1	period is permitted for children experiencing homelessness and children in foster			
<u> </u>	9.1.d. 9.2.	care based on the individual circumstances of the child. Sanitation.			
	J.Z.	The informal or relative family child care home shall have sufficient safe water for			
	9.2.a.	drinking, hand washing, and other household needs.			
		The caregiver and the children shall thoroughly wash their hands with soap and			
		water for at least 20 seconds any time they are soiled, including at the following			
	9.2.b.	times:			
	9.2.b.1.	Before eating;			
	9.2.b.2. 9.2.b.3.	Before handling or preparing foods; After contact with animals:			
	შ.∠.IJ.პ.	Before and after diaper changing, assisting a child with toilet use, or personal			
	9.2.b.4.	bathroom use; and			
		When the caregiver or the children come into contact with blood or bodily fluids			
	9.2.b.5.	containing blood.			
		The caregiver shall store food and drinks in closed containers and refrigerate as			
	9.2.c.	needed.			
	9.2.d.	To ensure the cleanliness of the home the caregiver shall:			
		Cover garbage cans with lids or place cans in an area inaccessible to children,			
	9.2.d.1.	maintain them in a sanitary manner with liners, and empty them daily;			
		and the state of t			
	9.2.d.2.	Clean and disinfect bathroom facilities used by the children daily and when soiled;			

Clean dishes in a dishwasher or in hot water and detergent. If they are washed by 9.2.d.3. hand, they shall be rinsed throughly and allowed to air dry. Maintain the informal or relative family child care home and furnishings in a safe 9.2.d.4. and sanitary condition to prevent accidents and illnesses; and Ensure that the informal or relative family child care home is free of rodent or insect infestation. Nutrition. Children shall receive nutritious meals and snacks, served in a sanitary manner and in amounts adequate to meet their nutritional needs, based on current United States Department of Agriculture's Distary Guidelines for Americans. 578-20-10. The caregiver shall obtain written permission from parents before all water play or swimming activities, or both. The informal or relative family child care home shall ensure that all pools and hot tube are either emptided or inaccessible to children when not in use. A caregiver shall be physically present and supervise the children at all times during water play or swimming activities, or both. S78-20-11. Emergency First and a supervised of the caregiver children at all times during water play or swimming activities, or both. 11.1 a. Because that written emergency information is available near the silephone or other communications device within easy access of the caregiver, children, and supervised that the supervised is a substitute that contains telephone numbers for the following: 11.1 b. The child abuse and neglect hotiling: 11.1 c. Each parent's work and home; 11.1 d. Aneblance service; A police and fire departments: 11.1 d. Aneblance service; A police and fire departments: 11.1 d. Aneblance service; A police and fire departments: 11.1 d. Aneblance service; A police and fire departments; 11.1 d. Aneblance service; A police and fire departments; 11.1 d. Aneblance service; A police and fire departments; 11.1 d. Aneblance service; A police and fire departments; 11.1 d. Aneblance service; A police and fire departments; 11.1 d. Aneblance serv	
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care regulatory enecialist shall take no action against the provider's contificate of	
care regulatory specialist shall take no action against the provider's certificate of	
registration until notice is provided and the provider is given 30 days after the	
11.3.e.1. receipt of notice to provide an updated plan.	
Retain an updated copy of the plan for evacuation and shall provide notice of the	
plan and notification that a copy of the plan will be provided upon request to any	
parent, custodian, or guardian or each child at the time of the child's enrollment in	
11.3.e.2. the child care service and when the plan is updated.	
The fire evacuation plan shall include a drawing of the primary and secondary	
exits from all areas of the house and meeting places for the children once they	
11.3.f. have exited the home.	
An informal or relative family child care home shall conduct monthly fire	
11.3.g. evacuation drills and maintain a written record of when they are conducted.	
An informal or relative family child care home shall develop, implement, and	
maintain a written procedure to practice moving to a safe location within the home	
at least two times a year and record the dates and times when the practice	
11.3.h. sessions are conducted; and	

		An informal or relative family child care home shall develop, implement, and			
		maintain a written procedure for practicing relocation with the operator and			
		volunteers two times per year and record the dates and times when the practice			
	11.3.j.	sessions are conducted.			
	11.J.J.	First Aid Supplies An informal or relative family child care home shall keep the		 	
		following first aid supplies available in a portable container and ensure they are			
	11.4.	out of the children's reach:			
	11.4.a.	A digital thermometer;			
	11.4.b.	Disposable gloves;			
	11.4.c.	Blunt-tipped scissors;			
	11.4.d.	Tweezers;			
	11.4.e.	Bandage tape;			
	11.4.f.	Sterile gauze;			
	11.4.g.	Non-medicated adhesive strips;			
	11.4.h.	Sealed packages of alcohol wipes or antiseptic;			
	11.4.i.	Soap;			
	11.4.j.	A first aid guide; and			
	11.4.k.	CPR mouthpiece.			
§ 78-20-12.					
Transportatio					
-	12.1.	When transporting children, the caregiver shall:			
n	12.1. 12.1.a.		1		
		Accompany children on activities that require transportation;			-
	12.1.b.	Ensure the driver transporting the children has a valid drivers license; and			
		Ensure the vehicle used to transport the children is maintained in safe running			
	12.1.c.	condition, with insurance and a current inspection sticker.		 	
		An informal or relative family child care home shall ensure that children are			
		secured in an approved child safety seat or in individual seat belts, as required by			
	12.2.	W. Va. Code §17C-15-46.			
	14.4.	11. Va. 0000 3110-10-40.			
0=0 00 40					
§78-20-13.					
Program and		Daily Routine An informal or relative family child care home shall have a daily			
Equipment	13.1.	routine appropriate to the ages of the children in care that includes:			
	13.1.a.	Specific meal times;			
	13.1.b.	Nap times for children who need them;			
	13.1.c.	Indoor play time; and			
	10.1.0.	Outdoor play time on days when temperatures are 40 degrees and above, weather			
	40.4.1				
	13.1.d.	and circumstances permitting.			
		Program An informal or relative family child care home shall implement a			
		program that is appropriate to the ages and stages of development of the children			
	13.2.	in care and enhances the healthy growth and development of the children.			
		Equipment An informal or relative family child care home shall select toys,			
		equipment, and activities that are nontoxic, safe, sturdy, easy to clean, and free of			
	10.0				
	13.3.	hazards.			
§78-19-14.					
Guidance					
and					
Discipline	14.1.	Guidance.			
		The caregiver shall use guidance that helps the children understand appropriate			
	14.1.a.	behavior and is appropriate to their ages.			
	17.1.a.				
	1111	An informal or relative family child care home shall have rules that are fair,			
	14.1.b.	consistent, and relevant to the children's ages.			
		An informal or relative family child care home may use a time-out that lasts no			
		more than one minute for each year of a child's age and only for the purpose of			
	14.1.c.	helping a child regain control.			
		The caregiver and parents shall discuss and agree upon positive methods of			
	14.1.d.	guidance that encourage a child's acceptable behavior.			
		Discipline A caregiver, household member, or substitute shall not use any of the			
	14.2				
	14.2.	following harmful forms of discipline:			-
		Punishing a child physically including spanking, hitting, kicking, biting, shaking,			
	14.2.a.	swatting, thumping, pinching, popping, shoving, spitting, or other cruel treatment;		 	
		Punishing or threatening a child in association with food, sleep, rest, or toilet		 	
	14.2.b.	training;			
	14.2.c.	Putting anything in or on a child's mouth as punishment;			
	14.2.0.	Confining a child in a closet or locked room or using physical restraints for			
	140 -	0. ,			
	14.2.d.	confinement;			-
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		Il laine lavel manfana, an abroaire language an thursate of physical provisions and			1
	14.2.e.	Using loud, profane, or abusive language or threats of physical punishment;			
	14.2.e.	Punishing a child psychologically including public or private humiliation, shaming,			
	14.2.e. 14.2.f.				
		Punishing a child psychologically including public or private humiliation, shaming, and negative remarks about the child or child's family;			
		Punishing a child psychologically including public or private humiliation, shaming,			

	14.2.h.	Allowing a child or other adult to punish the children in care.		
		A caregiver shall not seek or accept parental permission to use any punishments		
	14.3.	or acts prohibited in this rule.		
§78-20-15.				
Children				
Under 24				
Months of				
Age	15.1.	Equipment An informal or relative family child care home:		
_				
		Shall provide children under 13 months of age with a crib, port-a-crib, or playpen		
	15.1.a.	that has no more than 2 3/8 inches between slats, side, or end panels;		
		Shall not allow children under 13 months of age to sleep on any type of adult bed		
	15.1.b.	or sofa;		
		Shall not place soft pillows or stuffed animals in beds with children under 13		
	15.1.c.	months of age during sleep or nap times;		
		Shall ensure that high chairs, infant swings, playpens, and cribs are safe, sanitary,		
1	15.1.d.	and in good working condition; and		
	.0	Shall disinfect toys and play equipment used by children under 24 months of age		
	15.1.e.	after each use.		
	. 311101	Feeding and Care An informal or relative family child care home caring for		
	15.2.	infants and toddlers shall:		
		Hold infants six months of age and younger while bottle-feeding. Bottle propping is		
	15.2.a.	prohibited;		
	10.2.4.	Place an infant who is unable to turn over independently on his or her back to		
	15.2.b.	sleep unless medical documentation prohibits sleep in that position;		
	10.2.5.	Visually observe and check on children in cribs and playpens every 15 minutes;		
	15.2.c.	and		
	15.2.d.	Discard any unused breast milk within two hours of feeding.		
	15.3.	Diapering and Toilet Training.		
	15.3.a.	A caregiver caring for children in diapers shall:		
	15.3.a.1.	Have sufficient quantities of clean diapers available; and		
	10.0.4.1.	Change diapers when they are soiled and dispose of them in a closed container		
	15.3.a.2.	that is emptied daily.		
	10.0.4.2.	An informal or relative family child care home caring for a child who is toilet		
		training shall discuss and agree with the child's parent on a schedule for toilet		
	15.3.b.	training.		
§78-20-16.	. 0.0.5.	usaning.		
Required				
Reporting to		An informal or relative family child care home shall immediately report suspected		
the		child abuse or neglect to the department in accordance with W. Va. Code §49-2-		
Department	16.1.	101 et seq., and W. Va. Code §49-2-202 et seq.		
		An informal or relative family child care home shall immediately report to the		
		department any accidents or illnesses resulting in emergency treatment,		
		hospitalization, or the death of a child and follow up with a written report form		
	16.2.	prescribed by the department within 72 hours.		
	. 5.2.	An informal or relative family child care home shall report the following within 72		
	16.3.	hours:		
-	10.0.	An adult added to the household so a criminal history background check can be		
	16.3.a.	completed;		
	16.3.b.	Major damage to the home caused by fire, flood, or storms;		
-	16.3.c.	A change in address; and	+	
	16.3.d.	A change in phone number.		
L	10.0.u.	A change in priorie flumbor.		I