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DIVISION OF FAMILY DEVELOPMENT
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DIVISION OF FAMILY DEVELOPMENT

PROGRAM INSTRUCTION	
SUBJECT: Health and Safety Requirement Updates	
ISSUE DATE: November 9, 2021	**DFDI No.:** 21-11-01
IMPACTED PROGRAMS: Child Care Program	
HISTORY:	

I. PURPOSE

The purpose of this Instruction is to establish and clarify policies and procedures for the Child Care Assistance Program concerning the following matters of health and safety: (1) the disposal of bio-contaminants; (2) food and allergic reactions; (3) pediatric first aid and CPR; and (4) the grace period for immunizations.

II. AUTHORITY

The "Child Care and Development Block Grant Act of 1990" (CCDBG Act), 42 U.S.C. §§ 9857 et seq.; Public Law 113-186; 45 C.F.R. 98.41

III. OVERVIEW

The CCDBG Act authorizes the Child Care and Development Fund (CCDF) program, which along with Section 418 of the Social Security Act, provides the primary funding for the Child Care Assistance Program. In 2014, Congress reauthorized the CCDBG Act, establishing new requirements to increase the health, safety, and quality of CCDF-funded child care. In 2016, the CCDF Final Rule implementing the reauthorization was adopted. The Final Rule requires states to have certain health and safety requirements in place that cover all child care providers that receive CCDF assistance.

This Instruction implements certain health and safety requirements from the Final Rule to establish and clarify that they apply to all child care providers that receive CCDF-funds. Specifically, all licensed child care centers (licensed providers), registered family child care providers (FCCs), approved homes, and summer youth camps that receive CCDF funds are subject to these requirements. The requirements cover the following topics: (1) the disposal of bio-contaminants; (2) food and allergic reactions; (3) pediatric first aid and CPR; and (4) the immunization grace period.

IV. DEFINITIONS

- Bio-contaminants – any biological contaminant that includes blood and any bodily fluids, excretions, or waste that may spread infectious disease.

- Homeless Children – any "homeless children and youths" as that term is defined by the McKinney-Vento Act, 42 U.S.C. § 11434a(2) (See DFDI No. 19-05-02).

- Provider – any child care provider, including a licensed provider, FCC, approved home, or summer youth camp that receives CCDF assistance.

V. POLICY

A. Disposal of Bio-Contaminants. Every provider shall ensure that staff dispose of all bio-contaminants in an appropriate manner to safeguard against the spread of infectious disease.

B. Food and Allergic Reactions. Every provider shall ensure that staff are prepared to prevent, recognize, and respond to emergencies due to food-related allergies and other allergic reactions.

C. Pediatric First Aid and CPR. Every provider shall ensure that staff are trained in pediatric first aid and pediatric CPR. General or adult first aid and CPR trainings shall not be a permitted substitute for the pediatric versions.

D. Immunization Grace Period. Families (including foster families) of children in foster care and homeless children shall be permitted a 30-day grace period to take any necessary action to comply with immunization requirements consistent with the provisions of N.J.A.C. 3A:52-7.3 and N.J.A.C. 3A:54-6.8.

E. Minimum Standards. The policies and procedures in this Instruction represent minimum standards and only some of the health and safety standards required by the CCDBG Act and Final Rule. Providers and their staff must continue to adhere to any and all other health and safety requirements established by State regulation or federal law.

VI. PROCEDURES

A. Disposal of Bio-Contaminants. Staff properly dispose of all bio-contaminants to safeguard against the spread of infectious disease including as follows:

1. Staff discard disposable rubber gloves that come into contact with a bio-contaminant after each use.
2. Staff discard tissues, paper towels, disposable wipes, and similar products that come into contact with a bio-contaminant after each use.
3. Staff place soiled disposable diapers in a closed container that is lined with a leak-proof or impervious lining. Staff remove the soiled disposable

diapers from the facility and place them in a closed garbage receptacle outside the building on a daily basis.

4. Staff place soiled non-disposable diapers in a sealed plastic container that has been labeled with the child's name and return these diapers to the child's parent/guardian at the end of the day.
5. Staff place soiled clothes in a sealed plastic container that has been labeled with the child's name and return the clothes to the child's parent/guardian at the end of the day **or** launder the clothes at the facility.

B. Food and Allergic Reactions. Providers ensure that staff are prepared to prevent, recognize, and respond to emergencies due to food and other allergic reactions through the following procedures:

1. Providers ensure that staff receive training, such as the Health & Safety Basics: Requirements for Certification module, that covers:
    a) Preventing exposure to food and other allergens;
    b) Recognizing the symptoms of allergic reactions; and
    c) Treating allergic reactions.
2. For each child with an allergy, providers maintain a written care plan that includes:
    a) The food or other allergen to which the child is allergic;
    b) Measures to be taken to avoid exposing the child to that allergen;
    c) Specific symptoms that would indicate an allergic reaction; and
    d) A detailed treatment plan to be implemented in the event of an allergic reaction, including the names, doses, and methods of prompt administration of any medications. The treatment plan should include any specific symptoms that would indicate the need to administer one or more medications.
3. Providers immediately notify parents/guardians of any suspected allergic reactions, as well as the ingestion of, or contact with, the food or other allergen even if a reaction does not occur.
4. Providers immediately contact the emergency medical services system whenever epinephrine has been administered.
5. Providers post each child's food allergies prominently in the classroom and/or wherever food is served, **but only with the permission of the parent/guardian**.

C. Pediatric First Aid and CPR. Providers ensure that staff receive training in pediatric first aid and pediatric CPR.

D. Immunization Grace Period. Families of children in foster care and homeless children are permitted a 30-day grace period to take any necessary action to comply with immunization requirements. These children are provided CCDF-funded child care services during the grace period.

Child Care Resource & Referral Agencies (CCR&Rs), in coordination with the Department of Health (DOH) and the Office of Licensing (OOL), provide technical assistance to providers servicing children in foster care or homeless children to

ensure that their families are aware of New Jersey's immunization policy and to support compliance with that policy.

E. Outreach. CCR&Rs conduct ongoing outreach to ensure providers are fully informed about the policies and procedures required by this Instruction.

F. Enforcement. The Department of Human Services, Division of Family Development will coordinate with the licensing or monitoring agencies (DOH, OOL, and the CCR&Rs) to ensure that the policies and procedures required by this DFDI are enforced.

VII. FISCAL

N/A

VIII. SYSTEMS

N/A

IX. TRAINING

N/A

X. FORMS AND ATTACHMENTS

N/A

Please disseminate this DFDI to all child care providers, effective immediately. If you need additional guidance, please contact the Child Care Supervisor assigned to your county.

Sincerely,

Natasha Johnson

Natasha Johnson
Assistant Commissioner