

New and Amended Regulations for Day Care Homes, Child Care Centers and Preschools

Lexie's Law required the Department to promulgate additional health and safety regulations. The following new and amended regulations were adopted by the Secretary of Health and Environment and published in the Kansas Register on January 19, 2012. The regulations became effective February 3, 2012.

New General Regulation

K.A.R. 28-4-93 Online information dissemination system (new)

New and Amended Regulations for Day Care Homes and Group Day Care Homes

K.A.R. 28-4-113 Definitions (amended)

K.A.R. 28-4-114 Applicant; licensee (amended)

K.A.R. 28-4-114a Initial and ongoing professional development (new)

K.A.R. 28-4-115 Facility (amended)

K.A.R. 28-4-115a Supervision (new)

K.A.R. 28-4-116 Daily care of children (amended)

K.A.R. 28-4-116a Napping and sleeping (new)

New and Amended Regulations for Child Care Centers and Preschools

K.A.R. 28-4-428a Education and training requirements (new)

K.A.R. 28-4-440 Infant and toddler programs (amended)

Points to Remember

- The proposed regulations were available for public comment beginning March 10, 2011, and ending after the public hearing on May 17, 2011. Comments were received from the regulated community, parents of children in care, licensing surveyors, other interested parties and state and national organizations. KDHE considered all comments received. Post hearing changes to the regulations were made based on many of the suggestions received.
- The online information dissemination system provides parents and the public with recent provider compliance history. The system does not publically display the address or phone number of child care facilities. However, child care providers may request, pursuant to K.A.R. 28-4-93, that the information for their facility be displayed.
- Existing child care providers will be given one year from the effective date of the regulations to complete the training requirements of K.A.R. 28-4-114a (licensed day care homes and group day care homes) and K.A.R. 28-4-428a (child care centers and preschools).

Implementation Timeline

- January 19 – February 2012: New and amended regulations were published in the Kansas Register. Child care providers, licensing surveyors, statewide partners and the public were notified. The CCL website was updated to include regulations and guidance information.
- February 3, 2012: Regulations are effective 15 days after publication in the Kansas Register.
- February – March 2012: KDHE provided training to District Staff and licensing surveyors.
- February – May 2012: Licensing surveyors provided training, on-site consultation, and technical assistance.
- May 2012: Regulations fully implemented.