

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
OFFICE OF GENERAL COUNSEL

ORIGINAL: 2539

DATE: June 19, 2006

SUBJECT: **Public Comment**
Child Care Facilities- # 14-506
Proposed Regulation

TO: Kim Kaufman
Executive Director
Independent Regulatory Review Commission

FROM: Ruth D. O'Brien *R.D.O./lmb*
Senior Assistant Counsel

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Attached is public comment received regarding the above proposed regulation.

Attachments

cc: Scott Johnson
Norris Benms
Jamie Buchenauer
Tom Hiller



June 15, 2006

Jennifer Lau
Bureau of Certification Services
Office of Child Development
Department of Public Welfare
1401 North Seventh Street
P.O. Box 2675
Harrisburg, PA 17105

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Dear Ms. Lau:

The Pennsylvania School Boards Association would like to comment in support of proposed regulation ID #14-506 (#2539) regarding child care facilities as drafted by the Department of Public Welfare and published in the June 3, 2006 issue of the *Pennsylvania Bulletin*. These changes amend Title 55, Chapters 3270, 3280, 3290 and 3300.

While these proposed revisions primarily affect the operations of child day care centers for infant and preschool-age children, the rules also impact school-age child care programs conducted in school buildings or other facilities.

PSBA believes that the department's proposal properly updates the current regulations by incorporating the various changes in policies and procedures that have occurred since the rules were last promulgated in 1992. The association generally supports these changes.

PSBA also supports the department's amendment of the definitions of "preschool child" and "young school-age child" that will allow a child in kindergarten to be considered in the latter category. The inclusion of kindergarten children in the definition of "young school-age child" will allow before- and after-school programs to work under less stringent requirements. Consequently, those programs may experience lower operating costs.

Finally, the association offers its support for the department's amendments to language concerning the administration of medication and special diets as described in Sections 3270.133, 3280.133 and 3290.133. As proposed, the regulations include new language that call for a facility to make reasonable accommodation to administer a prescribed medication or special diet to a child with special needs. It also maintains and clarifies the existing language stating that facility staff is not required to administer medication or special diets to a child who does not have special needs. In addition, the regulation

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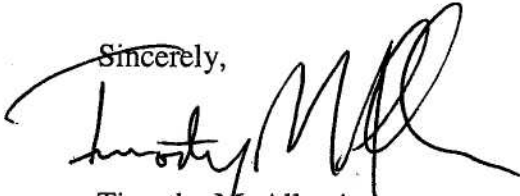
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Jennifer Lau
Department of Public Welfare
June 15, 2006
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maintains the existing language that details the requirements that would apply if facility staff does choose to administer medication. PSBA believes this approach taken by the department to allow facility staff to administer medication is reasonable and should be continued.

We appreciate the opportunity to review and comment on the proposed amendments to these regulations. Please contact me if you wish to discuss any of the issues addressed in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy M. Allwein". The signature is fluid and cursive, with a large initial "T" and "M".

Timothy M. Allwein
Assistant Executive Director
Governmental and Member Relations

cc: Independent Regulatory Review Commission, Proposed Regulation #14-506 (#2539)