

Health and Safety Requirements in the Territories

In Part 7, Territories describe the health and safety requirements that are applicable to all providers of services for which assistance is provided under the Child Care and Development Fund (CCDF).¹ Lead Agencies also describe their health and safety requirements for relative providers. Territories describe procedures for ensuring that child care providers comply with all applicable health and safety requirements and how the Lead Agencies enforce those requirements.

The Territories are not included in the National Resource Center for Health and Safety in Child Care and Early Education's compilation, so they must describe the health and safety requirements for all four categories of care, i.e., center-based, group home, family child care, and in-home. The health and safety requirements for all care, whether licensed, regulated, or otherwise legal, that is paid for with CCDF funds must be described.

Section 7.1 – Health and Safety Requirements for Center-Based Providers in the Territories

(658E(c)(2)(F), §98.41(a), §98.16(j))

For all center-based care, the following health and safety requirements apply to child care services provided under the CCDF for:

- *The prevention and control of infectious disease (including age-appropriate immunizations)*
- *Building and physical premises safety*
- *Health and safety training*

¹ The five U.S. Territories are American Samoa, Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands.

Table 7.1 shows the Territories' health and safety requirements for center-based providers as described in the CCDF Plans. CCDF Federal regulations require Territories to have health and safety requirements in three areas: prevention and control of infectious disease (including age-appropriate immunizations), building and physical premises safety, and health and safety training.

Requirement	Number of Territories	Territory
Fire, building, and/or health inspection	4	CNMI, GU, PR, VI
Physical exam or health statement	4	AS, CNMI, GU, PR
CPR/first aid training	4	AS, CNMI, GU, PR
Training (i.e., orientation, preservice, and/or ongoing training, excluding CPR and first aid training)	3	AS, GU, VI
Requirements from another oversight entity	2	AS, PR
Background check	1	AS

Section 7.2 – Health and Safety Requirements for Group Home Providers in the Territories

(658E(c)(2)(F), §98.41(a), §98.16(j))

For all group home care, the following health and safety requirements apply to child care services provided under the CCDF for:

- *The prevention and control of infectious disease (including age-appropriate immunizations)*
- *Building and physical premises safety*
- *Health and safety training*

Table 7.2 shows the Territories' health and safety requirements for group home providers as described in the CCDF Plans. CCDF regulations define group home child care providers as “two or more individuals who provide child care services for fewer than 24 hours per day per child, in a private residence other than the child’s residence, unless care in excess of 24 hours is due to the nature of the parent(s)’ work” (658E(c)(2)(F), §98.2). Federal regulations for CCDF require the Territories to have health and safety requirements in three areas: prevention and control of infectious disease (including age-appropriate immunizations), building and physical premises safety, and health and safety training.

Requirement	Number of Territories	Territory
Physical exam or health statement	4	AS, CNMI, GU, PR
CPR/first aid training	4	AS, CNMI, GU, PR
Fire, building, and/or health inspection	3	GU, PR, VI
Training (i.e., orientation, preservice, and/or ongoing training, excluding CPR and first aid training)	3	AS, GU, VI
Self-certification or complete health/safety checklist	2	AS, CNMI
Tuberculosis test	1	AS
Background check	1	AS
Requirements from another oversight entity	1	AS

Section 7.3 – Health and Safety Requirements for Family Providers in the Territories

(658E(c)(2)(F), §98.41(a), §98.16(j))

For all family child care, the following health and safety requirements apply to child care services provided under the CCDF for:

- *The prevention and control of infectious disease (including age-appropriate immunizations)*
- *Building and physical premises safety*
- *Health and safety training*

Table 7.3 shows the Territories' health and safety requirements for family child care providers. CCDF regulations define a family child care provider as "one individual who provides child care services for fewer than 24 hours per day per child, as the sole caregiver, in a private residence other than the child's residence, unless care in excess of 24 hours is due to the nature of the parent(s)' work" (658E(c)(2)(F), §98.2). CCDF Federal regulations require Territories to have health and safety requirements in three areas: prevention and control of infectious disease (including age-appropriate immunizations), building and physical premises safety, and health and safety training.

Requirement	Number of Territories	Territory
Physical exam or health statement	4	AS, CNMI, GU, PR
CPR/first aid training	4	AS, CNMI, GU, PR
Self-certification or complete health/safety checklist	3	AS, CNMI, PR
Training (i.e., orientation, preservice, and/or ongoing training, excluding CPR and first aid training)	3	AS, GU, VI
Fire, building, and/or health inspection	2	GU, VI
Background check	2	AS, PR
Tuberculosis test	1	AS
Requirements from another oversight entity	1	AS

Section 7.4 – Health and Safety Requirements for In-Home Providers in the Territories

(658E(c)(2)(F), §98.41(a), §98.16(j))

For all in-home care, the following health and safety requirements apply to child care services provided under the CCDF for:

- *The prevention and control of infectious disease (including age-appropriate immunizations)*
- *Building and physical premises safety*
- *Health and safety training*

Table 7.4 shows the Territories' health and safety requirements for in-home providers. CCDF regulations define an in-home child care provider as "an individual who provides child care services in the child's own home" (658E(c)(2)(F), §98.2). CCDF Federal regulations require Territories to have health and safety requirements in three areas: prevention and control of infectious disease (including age-appropriate immunizations), building and physical premises safety, and health and safety training.

Requirement	Number of Territories	Territory
Physical exam or health statement	4	AS, CNMI, GU, PR
CPR/first aid training	4	AS, CNMI, GU, PR
Self-certification or complete health/safety checklist	3	AS, CNMI, VI
Training (i.e., orientation, preservice, and/or ongoing training, excluding CPR and first aid training)	3	AS, GU, VI
Background check	2	AS, VI
Fire, building, and/or health inspection	1	GU
Tuberculosis test	1	AS
Requirements from another oversight entity	1	AS

Section 7.5 – Exemptions to Territorial Health and Safety Requirements

At Lead Agency option, the following relatives may be exempted from health and safety requirements: grandparents, great grandparents, aunts, uncles, or siblings (who live in a separate residence from the child in care). (658P(4)(B), §98.41(a)(1)(ii)(A)).

Indicate the Lead Agency's policy regarding these relative providers:

- *All relative providers are subject to the same requirements as described in sections 7.1 - 7.4 above, as appropriate; there are **no exemptions** for relatives or different requirements for them.*
- *All relative providers are **exempt** from all health and safety requirements.*
- *Some or all relative providers are subject to **different** health and safety requirements from those described in sections 7.1 - 7.4 and the following describes those different requirements and the relatives they apply to.*

Lead Agencies in the Territories have the option of exempting relative care providers (i.e., grandparents, great grandparents, aunts, uncles, or siblings) from their health and safety requirements. Table 7.5 shows that four of the Territories subject all relative providers to the same health and safety requirements as those for other child care providers. Table 7.5 also shows that the **Commonwealth of the Northern Mariana Islands** subjects relative providers to different requirements than those described for other child care providers. This Territory reports that it requires relative providers to submit a self-certification, signed by the providers and the parents, that they have met health and safety guidelines. Also, relative providers may be subject to routine announced and unannounced visits at least twice a year.

Exemption	Number of Territories	Territory
Subjects all relative providers to the same requirements as other providers	4	AS, GU, PR, VI
Subjects some or all relative providers to different health and safety requirements	1	CMNI

Section 7.6 – Enforcement of Territorial Health and Safety Requirements

Each Lead Agency is required to certify that procedures are in effect to ensure that child care providers of services for which assistance is provided comply with all applicable health and safety requirements. (658E(c)(2)(E), §§98.40(a)(2), 98.41(d)) The following is a description of how Territorial health and safety requirements are effectively enforced.

All five Territories (AS, CNMI, GU, PR, VI) indicate health and safety requirements are enforced through unannounced visits, background checks, and reports of serious injuries.

Unannounced Visits

*Are child care providers subject to routine unannounced visits (i.e., not specifically for the purpose of complaint investigation or issuance/renewal of a license)? If yes, **indicate** which providers are subject to routine unannounced visits and the frequency of those visits.*

All five Territories (AS, CNMI, GU, PR, VI) report that they subject child care providers to unannounced visits. Two Territories (CNMI, GU) report that child care centers are subject to unannounced visits more than once a year. **Guam** also reports that group home, family child care, and in-home providers are subject to unannounced visits more than once a year.

Background Checks

Are child care providers subject to background checks? If yes, indicate which types of providers are subject to background checks and when such checks are conducted.

All five Territories (AS, CNMI, GU, PR, VI) report that they subject certain child care providers to some type of background check, such as clearances from law enforcement and child protective services. Three Territories (AS, GU, PR) report that all child care providers are subject to background checks. Two Territories (CNMI, GU) report conducting background checks annually. Puerto Rico reports conducting background checks twice per year.

Reporting Serious Injuries

Does the Territory require that child care providers report serious injuries that occur while a child is in care? (Serious injuries are defined as injuries requiring medical treatment by a doctor, nurse, dentist, or other medical professional.) If yes, describe the Territory's reporting requirements and how such injuries are tracked (if applicable).

All five Territories (AS, CNMI, GU, PR, VI) require child care providers to report serious injuries that occur to children while in care. **American Samoa** reports that child care providers are required to notify the Lead Agency and the parents/guardians if a child is injured while in care.

Additional Enforcement Methods

Are there other methods used to ensure that health and safety requirements are effectively enforced?

Puerto Rico reports additional methods used to enforce health and safety requirements. Methods include the use of health and safety checklists, timeframes for correcting the findings, and follow-up visits.

Section 7.7 – Exemptions from Territorial Immunization Requirements

The Territory assures that children receiving services under the CCDF are age-appropriately immunized, and that the health and safety provisions regarding immunizations incorporate (by reference or otherwise) the latest recommendations for childhood immunizations of the Territorial public health agency.
(§98.41(a)(1))

The Territory exempts the following children from immunization:

- *Children who are cared for by relatives (defined as grandparents, great grandparents, siblings (if living in a separate residence), aunts and uncles).*
- *Children who receive care in their own homes.*

- *Children whose parents object to immunization on religious grounds.*
- *Children whose medical condition contraindicates immunization.*

Lead Agencies in the Territories can offer exemptions from immunization requirements for children cared for by relatives, who receive care in their own homes, whose parents object to immunization on religious grounds, and whose medical conditions contraindicate immunization. Table 7.7 shows that all five Territories allow exemptions for children whose medical condition contraindicates immunization, and that two Territories allow exemptions for children whose parents object to immunizations on religious grounds. None of the Territories provide exemptions for children who are cared for by relatives or who receive care in their homes.

Exemption	Number of Territories	Territory
Children whose medical condition contraindicates immunization	5	AS, CMNI, GU, PR, VI
Children whose parents object to immunization on religious grounds	2	PR, VI