

STATEMENTS OF POLICY

Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE [55 PA. CODE CHS. 3270, 3280 AND 3290] Emergency Plan

Scope

This statement of policy applies to child day care centers, group child day care homes, family child day care homes and other interested parties.

Purpose

The purpose of this statement of policy is to clarify that the Department of Public Welfare (Department) interprets §§ 3270.21, 3280.20 and 3290.18 (relating to general health and safety), to require that each child day care center, group child day care home and family child day care home must have an emergency plan.

Background

In this Commonwealth and around the country, emergency preparedness is receiving a great deal of attention in light of recent National and world events. The Department recognizes that an emergency plan in child day care facilities is vital to ensure the health and safety of children enrolled in child day care facilities. To respond to a variety of emergency events, each child day care center, group child day care home and family child day care home operator shall develop an emergency plan that addresses the facility's specific needs.

Discussion

An emergency plan enables the facility operator and staff persons to respond to a variety of events, including the following:

- Fire
- Bomb threat, threatening call or message
- Utility disruption (water, heat, electricity)
- Flood
- Medical emergency
- Severe weather (snow, ice storms, tornado, high wind, temperature extremes)
- Security/lockdown (civil disturbance, threat of violence, intruder, hostage, disgruntled employees or parents/guardians)
- Hazardous material spills
- Nuclear emergency
- Missing child
- Other emergencies

A facility operator should work with the Department's regional day care office and with the county Emergency Management Agency (EMA) in developing an emergency plan. Each county EMA is responsible for overseeing emergency plans in that county. The EMA coordinator can provide information to assist the facility operator in preparing an emergency plan specific to the needs of the facility and may be able to assist in determining appropriate alternative shelter, both on and off the child care site.

A facility operator should also consider the Department's regulatory requirements in developing the emergency plan. By regulation, an operator shall have procedures regarding fire drills, emergency medical care, emergency contact information and release of children to

a designated adult. In developing an emergency plan, the facility operator should consider the size and location of the facility, the needs of children in care and any unique circumstances that pertain to the facility which would require special attention. A facility operator may also want to request help in writing the emergency plan from available community resources and qualified National resources. In addition, the operator should involve parents of children in care in developing the plan.

The facility operator shall reevaluate the emergency plan at least annually and update the plan based on changes at the facility or in the community. The facility operator shall train facility persons as described in the applicable statement of policy.

Comments

Comments and questions regarding this statement of policy should be directed to Diana Ramiez, Bertolino Building, 4th Floor, Harrisburg, PA 17105, (717) 787-8082.

Effective Date

This statement of policy takes effect June 24, 2004.

ESTELLE B. RICHMAN,
Secretary

(Editor's Note: The regulations of the Department, 55 Pa.Code Chapters 3270, 3280 and 3290, are amended by adding a statement of policy in §§ 3270.21a, 3280.20a and 3290.18a to read as set forth in Annex A.)

Fiscal Note: 14-BUL-064. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 55. PUBLIC WELFARE PART V. CHILDREN, YOUTH AND FAMILIES MANUAL

Subpart D. NONRESIDENTIAL AGENCIES, FACILITIES AND SERVICES

ARTICLE I. LICENSING/APPROVAL

CHAPTER 3270. CHILD DAY CARE CENTERS

GENERAL REQUIREMENTS

§ 3270.21a. Emergency plan.

(a) The facility shall have an emergency plan that provides for:

- (1) Shelter of children during an emergency.
- (2) Evacuation of children from the facility.

(3) A method for facility persons to contact parents as soon as reasonably possible when an emergency situation arises.

(4) A method for facility persons to inform parents that the emergency has ended and to provide instruction as to how parents can safely be reunited with their children.

(b) The operator shall review the emergency plan at least annually and update the plan as needed. The operator shall document in writing each review and update of the emergency plan.

(c) The operator shall assure that each facility person receives training regarding the emergency plan at the time of initial employment, on an annual basis and at the time of each plan update. The operator shall document

the date of each training and the names of all facility persons who received the training.

(d) The operator shall post the emergency plan in the facility at a conspicuous location.

(e) The operator shall provide to the parent of each enrolled child a letter explaining the emergency procedures described in subsection (a). The operator shall also provide to the parent of each enrolled child a letter explaining any subsequent update to the plan.

(f) The operator shall send a copy of the emergency plan and subsequent plan updates to the county emergency management agency.

CHAPTER 3280. GROUP CHILD DAY CARE HOMES

GENERAL REQUIREMENTS

§ 3280.20a. Emergency plan.

(a) The facility shall have an emergency plan that provides for:

(1) Shelter of children during an emergency.

(2) Evacuation of children from the facility.

(3) A method for facility persons to contact parents as soon as reasonably possible when an emergency situation arises.

(4) A method for facility persons to inform parents that the emergency has ended and to provide instruction as to how parents can safely be reunited with their children.

(b) The operator shall review the emergency plan at least annually and update the plan as needed. The operator shall document in writing each review and update of the emergency plan.

(c) The operator shall assure that each facility person receives training regarding the emergency plan at the time of initial employment, on an annual basis and at the time of each plan update. The operator shall document the date of each training and the names of all facility persons who received the training.

(d) The operator shall post the emergency plan in the facility at a conspicuous location.

(e) The operator shall provide to the parent of each enrolled child a letter explaining the emergency proce-

dures described in subsection (a). The operator shall also provide to the parent of each enrolled child a letter explaining any subsequent update to the plan.

(f) The operator shall send a copy of the emergency plan and subsequent plan updates to the county emergency management agency.

CHAPTER 3290. FAMILY CHILD DAY CARE HOMES

GENERAL REQUIREMENTS

§ 3290.18a. Emergency plan.

(a) The facility shall have an emergency plan that provides for:

(1) Shelter of children during an emergency.

(2) Evacuation of children from the facility.

(3) A method for facility persons to contact parents as soon as reasonably possible when an emergency situation arises.

(4) A method for facility persons to inform parents that the emergency has ended and to provide instruction as to how parents can safely be reunited with their children.

(b) The operator shall review the emergency plan at least annually and update the plan as needed. The operator shall document in writing each review and update of the emergency plan.

(c) The operator shall assure that each facility person receives training regarding the emergency plan at the time of initial employment, on an annual basis and at the time of each plan update. The operator shall document the date of each training and the names of all facility persons who received the training.

(d) The operator shall post the emergency plan in the facility at a conspicuous location.

(e) The operator shall provide to the parent of each enrolled child a letter explaining the emergency procedures described in subsection (a). The operator shall also provide to the parent of each enrolled child a letter explaining any subsequent update to the plan.

(f) The operator shall send a copy of the emergency plan and subsequent plan updates to the county emergency management agency.

[Pa.B. Doc. No. 03-2454. Filed for public inspection December 26, 2003, 9:00 a.m.]