

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of General Services

The Executive Board approved a reorganization of the Department of General Services effective February 4, 2009.

The organization chart at 39 Pa.B. 1009 (February 21, 2009) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of code).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 09-301. Filed for public inspection February 20, 2009, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Labor and Industry

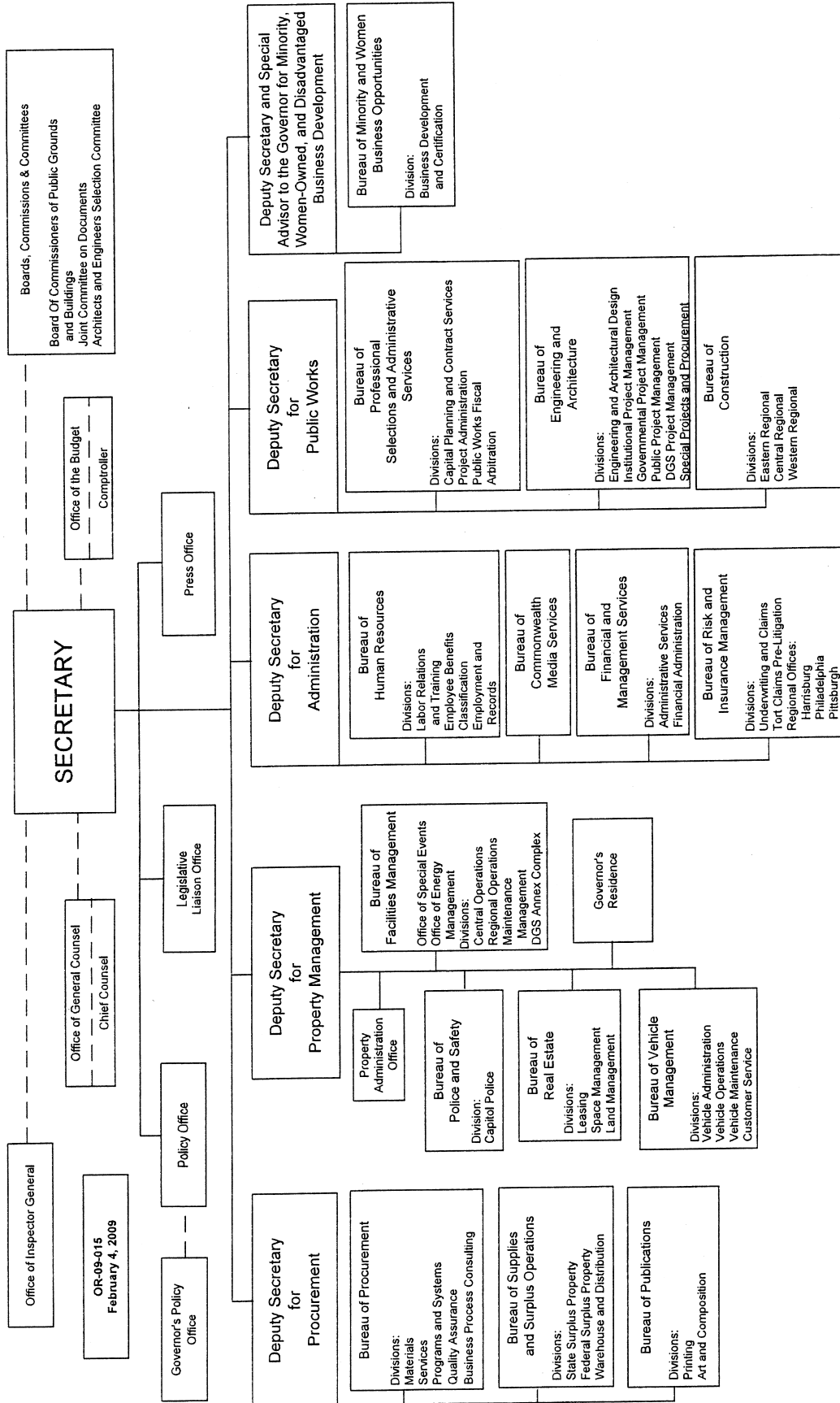
The Executive Board approved a reorganization of the Department of Labor and Industry effective February 4, 2009.

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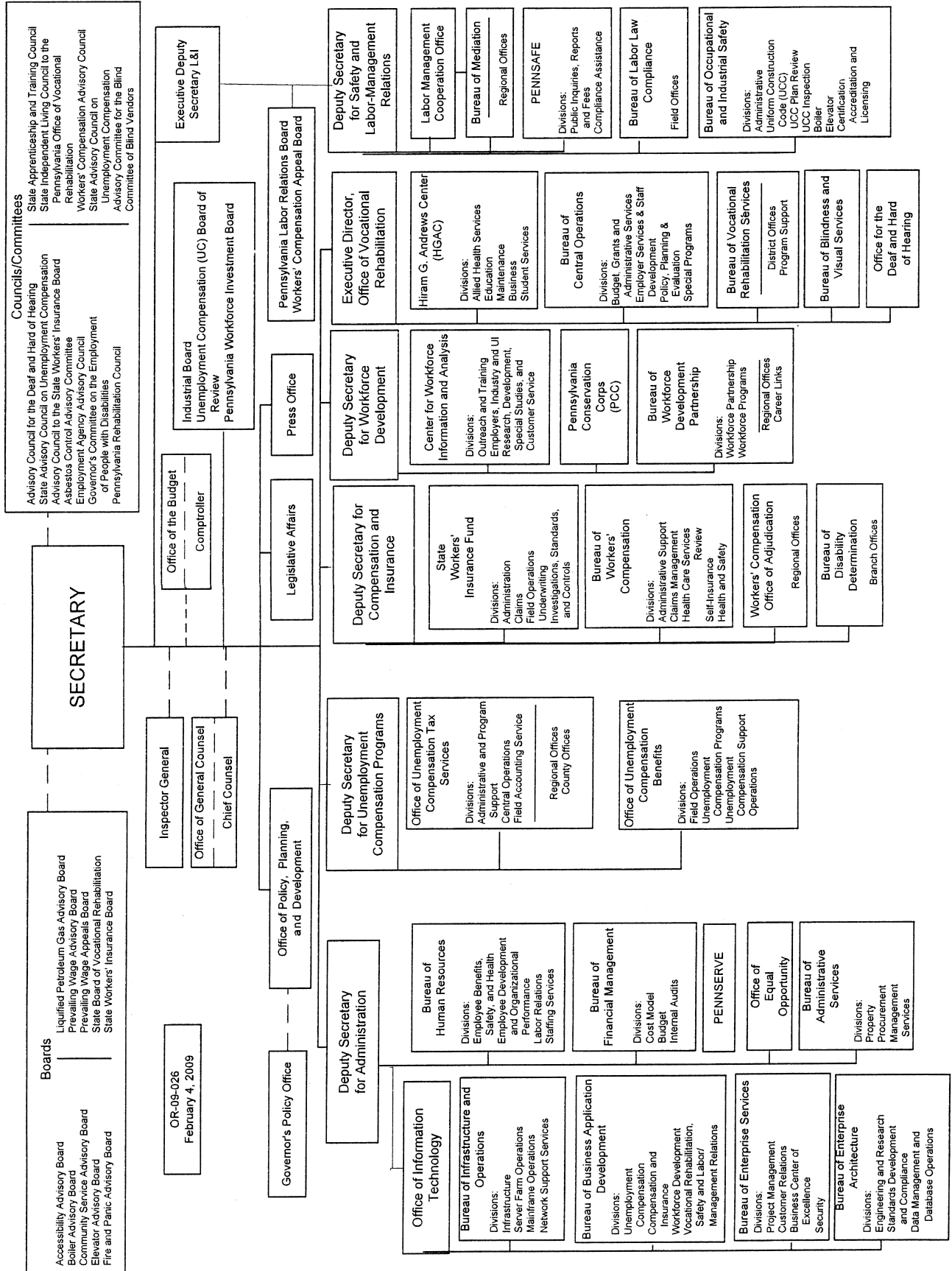
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[Pa.B. Doc. No. 09-302. Filed for public inspection February 20, 2009, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES



DEPARTMENT OF LABOR AND INDUSTRY



Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CHS. 3270, 3280 AND 3290]

Reporting Lost Child

Scope

These statements of policy apply to child day care centers, group child day care homes and family child care homes.

Purpose

The purpose of these statements of policy is to provide direction to child care facilities regarding reporting an incident when a child in the care of the facility is lost, missing, left behind or unattended.

Discussion

The Department of Public Welfare's (Department) regulations for child care facilities require that the facility operator shall report incidents involving inpatient hospitalization or emergency room treatment of a child receiving care at the facility, the death of a child receiving care at the facility and a facility fire that requires the service of a fire department (see 55 Pa. Code §§ 3270.20, 3280.19 and 3290.17 (relating to reporting injury, death or fire)). The intent of those regulations is to require a facility operator to inform a child's parent and the Department of high risk incidents that occur at the facility which could negatively impact children who receive care at the facility.

Supervision of children is basic to the prevention of harm. A parent contracts with a child care facility to supervise a child and keep the child from harm. However, incidents occur at child care facilities that pose a risk to the health and safety of a child. These types of incidents include a child who is lost or missing from the facility, a left-behind child on a facility field trip when the rest of the group returns to the facility and also a child left alone in a closed facility when the facility is closed for the day. Sometimes, the Department becomes aware of incidents through complaints filed by law enforcement officials, parents, community professionals or witnesses to the incident. Occasionally, the facility operator reports the incident to the Department.

If the Department is advised of a lost or left-behind child incident, Department staff will investigate the incident to assess compliance with the regulations appropriate to the facility. The Department can then assess the risk to children and make a determination of the steps necessary to protect the health and safety of the children in the facility. If the Department is not aware of the incident, the high risk condition may continue and worsen over time.

To protect the health and safety of children in care at the facility, the Department has determined that a child care facility operator shall report to the child's parent and to the Department when one of the following occurs:

- (1) A child receiving care in the facility is lost or missing from the facility.
- (2) A child in the care of the facility is left behind on a facility excursion.
- (3) A child receiving care in the facility is left unattended in the facility when the facility is closed.

The facility shall report the incident in accordance with the reporting requirements provided in the child care facility regulations relating to reporting injury, death or fire in §§ 3270.20, 3280.19 and 3290.17.

Effective Date

These statements of policy are effective April 22, 2009.

Contact Person

The contact person for these statements of policy is Tamula Ferguson, Division of Regulatory Administration, Bureau of Certification Services, Office of Child Development and Early Learning, (717) 346-9320

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-BUL-080. No fiscal impact; (8) recommends adoption.

(Editor's Note: Title 55 of the Pa. Code is amended by adding statements of policy in §§ 3270.20a, 3280.19a and 3290.17a to read as set forth in Annex A.)

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

§ 3270.20a. Reporting injury, death or fire—statement of policy.

The facility operator shall make reports to a child's parent and to the Department in accordance with § 3270.20 (relating to reporting injury, death or fire) if one or more of the following occurs:

- (1) A child receiving care in the facility is lost or missing from the facility.
- (2) A child in the care of the facility is left behind on a facility excursion.
- (3) A child receiving care in the facility is left unattended in the facility when the facility is closed.

CHAPTER 3280. GROUP CHILD DAY CARE HOMES

GENERAL REQUIREMENTS

§ 3280.19a. Reporting injury, death or fire—statement of policy.

The facility operator shall make reports to a child's parent and to the Department in accordance with § 3280.19 (relating to reporting injury, death or fire) if one or more of the following occurs:

- (1) A child receiving care in the facility is lost or missing from the facility.
- (2) A child in the care of the facility is left behind on a facility excursion.
- (3) A child receiving care in the facility is left unattended in the facility when the facility is closed.

**CHAPTER 3290. FAMILY CHILD DAY CARE
HOMES****GENERAL REQUIREMENTS****§ 3290.17a. Reporting injury, death or fire—state-
ment of policy.**

The facility operator shall make reports to a child's parent and to the Department in accordance with § 3290.17 (relating to reporting injury, death or fire) if one or more of the following occurs:

(1) A child receiving care in the facility is lost or missing from the facility.

(2) A child in the care of the facility is left behind on a facility excursion.

(3) A child receiving care in the facility is left unattended in the facility when the facility is closed.

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