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Wm. Jeff Kahrs, Interim-Acting Secretary

Sam Brownback, Governor

January 18, 2012

Honorable Chair Brenda Landwehr:

House Bill 2094

As the Lead Agency for Child Care Development Funds (CCDF), SRS must meet CCDF health and safety regulations for children receiving SRS child care benefits. Currently CCDF regulations do not allow for this as an exemption for children receiving child care subsidy in licensed child care settings following ruling from CCDF:

45 CFR Parts 98 and 99

Child Care and Development Fund; Final Rule

Part 98- Child Care Development Fund

Subpart E-Program Operations (Child Care Services)-Lead Agency and Provider Requirements

§ 98.41 Health and safety requirements.

(a) Although the Act specifically states it does not require the establishment of any new or additional requirements if existing requirements comply with the requirements of the statute, each Lead Agency shall certify

that there are in effect, within the State (or other area served by the Lead Agency), under State, local or tribal law,

requirements designed to protect the health and safety of children that are applicable to child care providers of services for which assistance is provided under this part. Such requirements shall include:

(1) The prevention and control of infectious diseases (including immunizations). With respect to

immunizations, the following provisions apply:

(i) As part of their health and safety provisions in this area, States and Territories shall assure that children receiving services under the CCDF are age-appropriately immunized. Those health and safety provisions shall incorporate (by reference or otherwise) the latest recommendation for childhood immunizations of the respective State or territorial public health agency.

(ii) Notwithstanding paragraph (a)(1)(i) of this section, Lead Agencies may exempt:

(A) Children who are cared for by relatives (defined as grandparents, great grandparents, siblings (if living in a separate residence), aunts, and uncles);

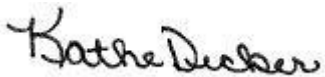
(B) Children who receive care in their own homes;

(C) Children whose parents object to immunization on religious grounds; and

(D) Children whose medical condition contraindicates immunization;

(iii) Lead Agencies shall establish a grace period in which children can receive services while families are taking the necessary actions to comply with the immunization requirements;

Kathe Decker

A handwritten signature in black ink that reads "Kathe Decker". The signature is written in a cursive, slightly slanted style.

Director, Economic and Employment Support

**Honorable Chair Brenda Landwehr**

January 18, 2012

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