

Title 07 DEPARTMENT OF HUMAN RESOURCES

Subtitle 04 CHILD CARE ADMINISTRATION

Chapter 02 Child Care Center Licensing

Authority: Family Law Article, §§5-570—5-585; State Government Article, §10-617; Annotated Code of Maryland; Agency Note: Federal Statutory Reference—Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et seq.); Pro-Children Act of 1994 (20 U.S.C. §6081 et seq.)

.44 Admission to Care.

A. An operator may not admit a child to a center for child care or allow a child to remain in care unless the operator has:

(1) Received a completed emergency form for the child as required in Regulation .38 of this chapter;

(2) Received a written report of a health inventory on the child, including a statement of allergies, on a form supplied or approved by the office that includes a parental statement on the health status of the child and is:

(a) Unless a parent objects to a child's medical examination because of bona fide religious beliefs and practices, based on an examination completed within the last:

(i) 2 months before admission for a child under 9 months,

(ii) 3 months before admission for a child between 9 and 24 months, or

(iii) 12 months before admission for a child over 2 years old; or

(b) Transferred directly, without a gap in time longer than 3 months, from a family day care home, another licensed child care center, or a public or nonpublic school in Maryland;

(3) Received evidence, on a form supplied or approved by the office, that:

(a) The child has had immunizations appropriate for the child's age in accordance with a schedule of immunizations recommended by the Department of Health and Mental Hygiene and approved by the Subcommittee on Immunizations of the Medical and Chirurgical Faculty of Maryland;

(b) The child has had at least one dose of each vaccine appropriate for age before entry and is scheduled to complete the required immunizations;

(c) A licensed physician or a health officer has determined that immunization is medically contraindicated according to accepted medical standards; or

(d) The parent objects to the child's immunization because it conflicts with the parent's bona fide religious beliefs and practices;

(4) A source of emergency health services acceptable to parents with written parental agreement for its use;

(5) Received parental permission for the school to give the school age child's health information to the center; and

(6) Within 30 days after the child's admission to the center, received evidence, on a form supplied or approved by the office, that the child has received an appropriate lead screening if the child was:

(a) Admitted to the center on or after May 8, 1997; and

(b) Younger than 6 years old at the time of admission.

B. In a case when a parent objects to a child's immunization or medical examination, or both, because of the parent's bona fide religious beliefs and practices, an operator shall require the parent to provide a health history of the child and sign a statement indicating that to the best of the parent's knowledge and belief, the child is in satisfactory health and free from any communicable disease.

Administrative History

Effective date:

Regulations .01—.81 of COMAR 10.05.01 repealed and Regulations .01—.75 adopted under a new chapter, COMAR 07.04.02, as an emergency provision effective April 8, 1991 (18:9 Md. R. 986); emergency status extended at 18:21 Md. R. 2300 (October 18, 1991), 19:10 Md. R. 926 (May 15, 1992), and 20:2 Md. R. 108 (January 22, 1993)

Regulations .01—.81 of COMAR 10.05.01 repealed and Regulations .01—.77 adopted under a new chapter, COMAR 07.04.02, effective July 5, 1993 (20:13 Md. R. 1044)

Regulation .02B amended effective December 1, 1997 (24:24 Md. R. 1669)

Regulation .05C amended effective November 1, 1998 (25:21 Md. R. 1572)

Regulation .08 amended effective November 1, 1998 (25:21 Md. R. 1572)

Regulation .08A, C amended effective December 1, 1997 (24:24 Md. R. 1669)

Regulation .09A amended effective November 1, 1998 (25:21 Md. R. 1572)
Regulation .14B amended effective December 1, 1997 (24:24 Md. R. 1669)
Regulation .18A, C amended effective December 1, 1997 (24:24 Md. R. 1669)
Regulation .20B amended effective June 3, 1996 (23:11 Md. R. 808)
Regulation .29C adopted effective December 1, 1997 (24:24 Md. R. 1669)
Regulation .37 repealed effective December 1, 1997 (24:24 Md. R. 1669)
Regulation .44A amended effective December 1, 1997 (24:24 Md. R. 1669)
Regulation .46 amended effective December 1, 1997 (24:24 Md. R. 1669)
Regulation .48 amended effective December 1, 1997 (24:24 Md. R. 1669)
Regulation .50 amended effective October 19, 1998 (25:21 Md. R. 1572)
Regulation .65B amended effective December 1, 1997 (24:24 Md. R. 1669)
Regulation .69 amended effective December 1, 1997 (24:24 Md. R. 1669)
Regulation .78 adopted effective June 3, 1996 (23:11 Md. R. 808)

Chapter revised effective May 1, 2000 (27:8 Md. R. 797)