

Temporary Waiver of Annual Child Care Licensing Survey Requirements

A State of Disaster Emergency was proclaimed by the Governor for the State of Kansas on March 12, 2020. Child care has been declared an essential service, as it is a necessary service for working parents and is critical to the economic support of communities. The Kansas Department of Health and Environment [KDHE] has encouraged continuity of child care operations in child care facilities while simultaneously working to ensure the safety and well-being of children in care, facility staff, and agents of the KDHE.


It is the role of the secretary of health and environment to exercise general supervision of the health of the people of the state and to take action to prevent the spread of infectious or contagious disease within this state; therefore, pursuant to the authority vested in me as Secretary of the KDHE and in accordance with K.S.A. 65-101, I hereby temporarily waive the annual licensing survey for child care facilities required by K.S.A. 65-512.

This waiver is applicable to annual surveys that were to be conducted during the months of March, April, and May 2020, while the State of Kansas has been under a State of Emergency, and only applies to facilities that meet the following criteria:

- The Licensing Surveyor has not changed during the last State Fiscal Year;
- The Licensing Surveyor has a record of timely and accurate inspections;
- At least one annual inspection has been conducted at the facility;
- The last annual inspection was closed as "Complete" and the facility was compliant;
- The facility did not have a substantiated complaint during the last licensing year;
- The facility does not have an open/pending complaint; and
- The licensee has not been issued an administrative order within the last two years.

This waiver may be extended as needed by the KDHE for specific counties that continue to have a rise in COVID-19 cases, or in the alternative, in counties where KDHE's agents are restricted by their local health department or local disaster declarations from resuming annual surveys. KDHE will work with each county to determine when it may be safe for local surveyors to return to conducting annual surveys.

This waiver is in effect as of the 15th day of May, 2020.



Lee A. Norman, M.D.
Secretary
Kansas Department of Health and Environment