

CHILDREN AND FAMILIES

OFFICE OF LICENSING

Readoption: N.J.A.C. 10:122

Manual of Requirements for Child Care Centers

Proposed: March 16, 2009 at 41 N. J. R.

Adopted: July 30, 2009 by Kimberly S. Ricketts, Commissioner, Department of Children and Families

Filed: August 6, 2009 as R.2009 d.269 **without change**

Authority: N.J.S.A. 30:5B-1 to 15.

Effective Date: August 6, 2009

Expiration Date: August 6, 2014

Summary of Public Comments and Agency Responses:

The Department received a written comment regarding this rulemaking action from Carolyn Torre, Director of Practice, New Jersey State Nurses Association (NJSNA)

COMMENT: NJSNA understands that the Department intends to adopt these rules without amendment but indicated that the Department plans to consult with representatives of the child care community to develop amendments in a future rulemaking action. When the Department considers future amendments, NJSNA is recommending that the Department strongly consider modifying the language of the Manual of Requirements for Child Care Centers to mandate that child care providers giving medication to children have completed a course in medication administration.

NJSNA indicates that care will be safer when providers have completed competency based training in medication administration. NJSNA also noted that Child Care Health Consultants, registered nurses who are assigned to county Child Care Resource and Referral Agencies are currently voluntarily teaching a course in medication administration for child care providers who request the class. NJSNA commented that lack of such training increases the risk that children will be given medication incorrectly, inappropriately, or inconsistent with the prescriber's intentions. NJSNA noted that Connecticut, Colorado and New York have revised their child care regulations to mandate competency based training for child care providers.

RESPONSE: The Department thanks the commenter. When the Department initiates its ad hoc committee process, the Department will consider input from NJSNA along with other child care community representatives regarding possible amendments to the rules including training in administering medication.

Federal Standards Statement

The readopted rules do not exceed analogous Federal requirements, since there are no existing statutes or requirements pertaining child care centers imposed by Federal law within the scope of these rules.

Full text of the adoption may be found in the New Jersey Administrative Code at N.J.A.C. 10:122.