

78CSR20

TITLE 78  
LEGISLATIVE RULES  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

SERIES 20

INFORMAL AND RELATIVE FAMILY CHILD CARE HOME REGISTRATION  
REQUIREMENTS

Comments Summary and Response

**§78-20-3. Definitions.**

**Comment Summary:** 3.11. Add a module on healthy eating and physical activity to required pre-service training modules.

***Response:*** The Pre-Service Training modules required under 78CSR20 meet compliance with Federal Requirement §98.44 for nutrition and physical activity. The agency does not believe that additional clarification is needed.

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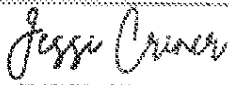
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 Criner, Jessica <Jessica.Criner@ccmc.org> Jul 25, 2022, 2:42:53 PM (yesterday) ☆  
 to eceproviders@wv.gov, Jeffrey, Jamie L., M.D., Barbara Gebhard

Division of Early Care and Education Staff.

Please accept these comments on behalf of the policy workgroup of *The Earlier, The Better* initiative.

Thank you for your consideration.

  
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WV Department of Health and Human Resources

Attn: Division of Early Care and Education

350 Capitol Street, Room B18

Charleston, West Virginia 25301

Division of Early Care and Education Staff:

Thank you for the opportunity to comment on the proposed licensing and regulation changes to the child care regulations. On behalf of the Child Care Policy Workgroup of *The Earlier, The Better* initiative of KEYS for Healthy Kids, we are submitting the following comments for your consideration.

The focus of *The Earlier, The Better* is on obesity prevention in child care, and our comments reflect this focus. We have reviewed a number of national sources from the Centers for Disease Control, the American Academy of Pediatrics, and The National Resource Center for Health and Safety in Child Care and Early Education, and cross-checked them with the proposed regulations to form the basis of our comments.

The majority of these comments relate to the child care center licensing regulations. In cases where the same comment should be considered in other sets of regulations, a reference is included.

Thank you for your careful consideration of these comments as you finalize the child care regulations to propose for the next five-year cycle.

Sincerely,

Jamie Jeffrey, MD FAAP

A handwritten signature in cursive script that reads "Jamie Jeffrey".

Barbara Gebhard, Early Childhood Policy Consultant

A handwritten signature in cursive script that reads "Barbara Gebhard".

**COMMENTS ON CHILD CARE LICENSING STANDARDS REVISION  
CHILD CARE POLICY WORKGROUP OF THE EARLIER, THE BETTER**

3.45 (Child Care Centers)

3.24 (Out of School Time)

3.14 (Family Child Care Facilities)

3.12 (Family Child Care Homes)

3.11 (Informal Care)

**Recommendation:** Add a module on healthy eating and physical activity to required pre-service training modules.

8.7d (Child Care Centers)

14.1.a.8 (Family Child Care Facilities)

**Recommendation:** Specify that STARS training topics include health, safety, healthy eating, physical activity, and child development. This is consistent with CCDF block grant requirement 2.4.3 requiring training on physical health and development, including healthy eating and physical activity.

14.2.b (Child Care Centers)

**Recommendation:** Change from "Include an appropriate balance of ..." to "Caregivers/teachers shall promote children's active play and participation in active games that promote movement at least two or more times a day, including a balance of ...."

14.3.c (Child Care Centers)

**Recommendation:** Add between the first and second sentences: "The center shall develop written policies on the promotion of physical activity and the removal of potential barriers to physical activity participation."

14.7.h (Child Care Centers)

**Recommendation:** Change to: "Use of screen media including television, video, DVD, and computers is prohibited with children under 2 years and during meal and snack times."

16.4 (Child Care Centers)

**Recommendation:** Add a separate notation: "A center shall avoid sugar, including concentrated sweets such as candy, sodas, sweetened drinks, and fruit nectars."

16.8 (Child Care Centers)

**Recommendation:** Add a separate notation: "For children between 6 months and 1 year, whole fruits, mashed or pureed, shall be served."

**Best Practice:** Footnotes 12 (page 87) and 19 (page 88) of Appendix 78-1-C should also be changed to reflect this.

#### **16.8 (Child Care Centers)**

**Recommendation:** Add a separate notation: "For children younger than 12 months, no fruit juice shall be served." Alternative: Add to the end of 16.4.b: "only for children 12 months and above."

**Best Practice:** Footnotes 12 (page 87) and 19 (page 88) of Appendix 78-1-C should also be changed to reflect this.

#### **16.8.a (Child Care Centers)**

**Recommendation:** Add "formula mixed with cereal, fruit juices, or other foods" to "solid foods and fruit juices."

#### **16.8.d (Child Care Centers)**

**Recommendation:** Add at end: "or juice."

#### **16.8.f.12.A (Child Care Centers)**

**Recommendation:** Add "breast milk storage bags" to hard plastic and glass bottles. Add "Avoid plastics containing bisphenol (BPA) with recycle symbol #7."

#### **16.8.f.12.C (Child Care Centers)**

**Recommendation:** Delete "breast milk" (already covered in 16.8.f.9) and change formula from "within 30 minutes of when a child has finished eating" to "within one hour of when a child has finished eating."

#### **16.8.f.12.D (Child Care Centers)**

**Recommendation:** Reword as: "A center shall use unfrozen, fresh refrigerated breast milk up to 4 days from date milk expressed and frozen breast milk stored in freezer for up to 6 months" (see <https://www.cdc.gov/breastfeeding/recommendations/handling-breastmilk.htm>).

#### **16.8.g.1 (Child Care Centers)**

**Recommendation:** Add at end, "including outdoor time" in order to be specific.