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Subject: Legislative Implementation 2018
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COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: June 29, 2018

TO: Licensed Child Day Centers

FROM: Tara Ragland, Interim Director
Division of Licensing- Children's Programs

SUBJECT: 2018 Legislative Implementation

This memo will inform you of legislation that passed in the 2018 Virginia General Assembly session that affects licensed child day center programs. The majority of this legislation becomes effect July 1, 2018. If there is a different effective date, it will be noted.

House Bill 836

[HB 836](#) prohibits inspections for certain requirements if a CDC is located in a public school. DSS is prohibited from inspection or approval of:

- The building;
- Vehicles owned by a public school that are used to transport children attending the CDC; or
- Meal service, for meals served to children attending the child day program that are prepared by the public school.

House Bill 873 and Senate Bill 121 (Identical bills)

[HB 873](#) and SB 121 extends the expiration date for legislation established during the 2017 General Assembly session requiring fingerprint based background check requirements for child day care providers. As written, the legislation was set to expire July 1, 2018. HB 873 and SB 121 extend the expiration date to July 1, 2020.

Senate Bill 539

[SB 539](#) incorporates the recommendations of the "Child Day Programs Exempt from Licensure" study that was submitted last year to the Governor and General Assembly. It clarifies who should be considered a child day program and redefines the list of programs that are exempt from licensure. The legislation establishes basic health and safety requirements for certain exempt programs and requires exempt programs to report serious

physical injuries or deaths of children in care. Certain exempt programs will be required to file annually with DSS and indicate which exemption they are using, and will be subject to complaint inspections if the exemption requirements are not followed. **This legislation does not go into effect until July 1, 2019.** DSS will provide updates on the changes from this legislation next year.

Please contact your licensing inspector if you have any questions.