

Notice of Agency Rule-making Adoption

AGENCY: Department of Health and Human Services, Division of Licensing and Regulatory Services, Community Services Programs

CHAPTER NUMBER AND TITLE: 2nd AMENDED Emergency Rule
10-148 CMR Chapter 32,
Rules for the Licensing of Child Care Facilities.

ADOPTED RULE NUMBER:

(LEAVE BLANK - ASSIGNED BY SECRETARY OF STATE)

CONCISE SUMMARY Pursuant to 5 MRSA § 8054, the Department has determined that immediate adoption of these **2nd AMENDED emergency rules** provide regulatory protection for children who participate in swimming and wading activities while being cared for by a Child Care Facility licensed by Maine. These rules encourage safe physical activity without unnecessary and burdensome increased costs to providers.

Specifically, this second emergency amendment of the rules

- adds the following exception to the staff-to-child ratio provision:

(Section XVI. D. 9. c)Exception. If 3 or fewer children are in the swimming pool and the water safety attendant is stationed outside and next to the swimming pool, the water safety attendant may count toward the staff-to-child ratio.

These 2nd amended emergency rules and the entire Rules for the Licensing of Child Care Facilities are available on the Division of Licensing and Regulatory Services' website <http://www.maine.gov/dhhs/dlrs/rulemaking/emergency-rule/home.html> . Call 207 287-9254 to have a paper copy of the rule mailed to you.

EFFECTIVE DATE: Monday, August 13, 2007

(TO BE FILLED IN BY SECRETARY OF STATE)

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Please approve bottom portion of this form and assign appropriate MFASIS number.

APPROVED FOR PAYMENT _____ DATE: _____

Authorized signature **Catherine M. Cobb, Director,**
Division of Licensing and Regulatory Services, Community Services Programs

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
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