

Mont.Admin.R. 37.95.1001

37.95.1001 INFANT'S AND TODDLER'S DIAPERING AND TOILET TRAINING

- (1) A sufficient supply of clean, dry diapers shall be available and diapers shall be changed as frequently as needed. Disposable diapers, a commercial diaper service, or reusable diapers supplied by the child's family may be used. If nondisposable diapers are used, the facility may launder the diapers using a germicidal process approved by the state or local health department. In the absence of such a process, the facility may not launder nondisposable diapers of enrolled children.
- (2) Soiled reusable diapers shall be placed into separate cleanable covered containers provided with waterproof liners prior to transport to laundry, parent, or acceptable disposal. These containers shall be emptied, cleaned and disinfected daily. Soiled disposable diapers shall be disposed of immediately into an outside trash disposal or put in a securely tied plastic bag and discarded indoors until outside disposal is possible. Reusable diapers shall be removed from the facility daily.
- (3) Diaper-changing surfaces shall be cleaned after each use by washing or by changing a pad or disposable sheeting and sanitized or covered for reuse.
- (4) Soft, absorbent, disposable towels, or clean reusable towels which have been laundered between each use shall be used for cleaning the child.
- (5) Safety pins shall be kept out of reach of infants and toddlers.
- (6) Infants and toddlers shall not be left unattended on a surface from which they might fall.
- (7) All toilet articles shall be specifically labeled for each infant and toddler. Each item must be separated and kept in a sanitary condition.

(8) Diapering and toileting areas shall contain a wash basin that is separate from that used for food preparation.

- (9) Toilet training shall be initiated when the toddler is ready and in consultation with the toddler's parents or placement agency. There shall be no routine attempt to toilet train children under the age of 18 months.

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37.95.1002 INFANT'S AND TODDLER'S WET OR SOILED CLOTHING

- (1) Wet or soiled clothing shall be changed promptly. Spare clothing shall be available in the event that a child's clothing becomes wet or soiled and it is the responsibility of the parent or guardian to care for the wet or soiled clothing. The clothing shall be placed in a sealed bag and returned to the parent or guardian.

Mont.Admin.R. 37.95.1003

37.95.1003 INFANT'S AND TODDLER'S FEEDING

(1) An individualized diet and feeding schedule shall be provided according to a written plan submitted by the parents or by the infant's physician with the knowledge and consent of the parents, guardian, or placement agency. A change of diet and schedule shall be noted on each infant's daily diet and feeding schedule.

(2) A day's supply of formula or breast milk in nursing bottles or formula requiring no more preparation than dilution with water shall be provided by the parents, unless an alternative agreement is reached between the parents and provider ensuring that the infant's nutritional needs are sufficiently met. Bottles of formula or breast milk shall be clearly labeled with each infant's name and date and immediately refrigerated. After use bottles shall be thoroughly rinsed before returning to the parent at the end of the day. Special dietary foods required by infants and toddlers shall be prepared by the parents.

(3) Bottles shall not be propped. Infants too young to sit in high chairs shall be held in a semi-sitting position for all bottle feedings.

(a) Infants and toddlers who use a bottle shall not be allowed to lie on their backs when drinking from the bottle.

(b) Older infants and toddlers shall be provided age-appropriate feeding equipment when being fed. This includes safe high chairs, baby feeding tables, booster seats, and child-size tables and chairs. Use of these types of equipment must be used in accordance with the manufacturer's instructions and must be appropriate for the age of the child using the equipment.

(c) Infants six months of age or over who show a preference for holding their own bottles may do so provided an adult remains in the room and within observation of the infant.

(d) Bottles and spill-proof cups (sippy cups) must be taken from the infant or toddler when they finish feeding, when the bottle or cup is empty, and while they are sleeping.

(4) If the parent is unable to bring sufficient or usable formula or breast milk, the facility may use commercially prepared and packaged formulas. Older infants and toddlers shall be provided suitable foods which encourage freedom in self-feeding. Unused food shall be stored in the original container and kept separate from other foodstuffs. Dry cereal, cookies, crackers, breads, and similar foods shall be stored in clean, covered containers.

(5) If the container in which the formula was purchased does not include a sanitized bottle and nipple, then transfer of ready-to-feed formula from the bulk container to the bottle and nipple feeding unit must be done in a sanitary manner in the kitchen. Bottles filled on the premises of the facility should be refrigerated immediately if not used and contents discarded if not used within 12 hours.

(6) If bottles and nipples are to be used by the facility, they must be cleaned and sanitized using generally accepted

means of sanitation such as washing in a dishwasher or by washing in hot water, rinsing, and boiling for one minute.

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37.95.1004 INFANT'S AND TODDLER'S, BATHING

(1) Bathing shall not be done routinely by the facility but if required:

- (a) infants and toddlers must be directly supervised when being bathed;
- (b) bathing materials shall be sanitized after bathing an infant or toddler;
- (c) nonallergenic soap shall be used;
- (d) arrangements shall be made so the infant or toddler cannot turn on hot water while being bathed. Water supply to bathing area will not be over 120°F; and
- (e) the bathing area shall be out of drafts and provisions should be made so the infant or toddler may be completely dried after a bath.

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37.95.1005 INFANT'S AND TODDLER'S, SLEEPING

(1) There shall be adequate opportunities for sleep periods during the day suited to the infant's and toddler's individual needs.

(2) Unless the parent has provided medical documentation from a health care provider ordering otherwise, infants shall be placed on their back and on a firm surface to reduce the risk of Sudden Infant Death Syndrome (SIDS).

(3) Each infant shall be provided with a crib or play pen for sleeping. At the discretion of the parent and provider, a cot or mat may be used once a child turns one year of age as long as a safe sleep environment is provided. Children one year of age through 18 months who are placed on a mat must have a signed permission statement in the file indicating that the parent has given permission for their child to be placed on a mat. In addition, a caregiver must remain with the child while they are sleeping.

- (a) Infants and toddlers shall not be routinely allowed to sleep in a car seat, infant swing, or other infant apparatus.
- (b) Cot or mat surfaces may be of plastic or canvas or other material which can be cleaned with detergent solution and allowed to air dry.

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(4) Cribs shall be made of durable, cleanable, nontoxic material, and have secure latching devices. Cribs shall have no more than 2 and 3/8 inches of space between the vertical slats. No later than December 28, 2012, all cribs must meet the requirements for full-size baby cribs and non-full-size baby cribs as specified by the Consumer Product Safety Commission at 16 CFR Part 1219 (2011) and 16 CFR Part 1220 (2011), incorporated by these references. A copy of the requirements for full-size baby cribs and non-full-size baby cribs is available at <http://www.dphhs.mt.gov/earlychildhood/cribrequirements.shtml>, or by contacting the Montana Child Care Licensing Program at P.O. Box 202953, Helena, Montana 59620; Phone: (406) 444-2012.

(5) Mattresses must fit snugly to prevent the infant from being caught between the mattress and crib siderail. Crib mattresses must be waterproof and easily sanitized. Cribs, cots, or mats must be thoroughly cleansed before assignment to another infant or toddler.

(6) Cribs, cots, or mats shall be spaced to allow for easy access to each infant and toddler, adequate ventilation, and easy exit. Aisles between cribs or cots shall be kept free of obstructions while cribs or cots are occupied. The use of stackable cribs for infants is permitted until the infants reach one year of age or weigh 26 pounds, whichever comes first.

(7) All pillows, quilts, comforters, heavy blankets, sheepskins, bumper pads, stuffed toys, and other soft products shall be removed from the crib and play pen.

(a) If a lightweight blanket is used, the child's feet must be placed at the foot of the crib or play pen and the blanket must be tucked along the sides and foot of the mattress. The blanket should not come up higher than the child's chest.

(8) Each infant and toddler shall have been provided by the parent with a clean washable blanket or other suitable covering for his use while sleeping. Each infant's and toddler's bedding shall be stored separate from bedding used by other children.

(9) All cries of infants and toddlers shall be investigated.

(10) The licensee or registrant of facilities licensed/registered after the enactment of these rules must receive training in an approved safe sleep curriculum before being granted approval for children under age two. Any caregiver who provides care to children under age two must receive training in an approved safe sleep curriculum within 60 days of hire. Caregivers who have not received the safe sleep training shall be supervised by an individual who has successfully completed the approved safe sleep curriculum in order for the caregiver to provide care to children under age two. Facilities licensed or registered before the effective date of these rules will have until July 31, 2013 to complete this training.

(11) Providers must develop a written policy that describes the practices to be used to promote a safe sleep environment when children under age two are napping or sleeping.

(12) All caregivers shall sign an acknowledgement indicating that they have read and understood the provider's policy outlined in (11).

Mont.Admin.R. 37.95.1006 to 37.95.1009

Administrative Rules of Montana Currentness _Title 37. Public Health and Human Services _Chapter 95.
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Rules 37.95.1006 to 37.95.1009. RESERVED

Mont.Admin.R. 37.95.1010

37.95.1010. DAY CARE FACILITIES CARING FOR INFANTS, TRANSPORTATION (REPEALED)

Mont.Admin.R. 37.95.1011

37.95.1011 INFANT'S AND TODDLER'S, ACTIVITIES

(1) All infants shall have ample opportunity during each day for freedom of movement, such as creeping or crawling or rolling in a safe, clean, open, uncluttered area.

(2) An infant or toddler who is awake shall not spend more than 30 minutes of consecutive time confined in a crib, playpen, jump chair, or highchair.

(3) Each infant and toddler shall have individual personal contact and attention by the same adult on a regular daily basis at least once each hour during nonsleeping hours. Examples of personal contact and attention include being held, rocked, taken on walks inside and outside the center, talked to, and played with.

(a) There shall be sufficient staff so that an adult is always present and supervising.

(4) There shall be provisions for the infant and toddler to safely explore and investigate the environment. There shall be both stimulation and time for quiet activity. Infants and toddlers shall be taken outside for some period during each day in good weather.

(5) Each infant and toddler shall be allowed to maintain the child's own pattern of sleeping and waking period according to instructions from the parents.

Mont.Admin.R. 37.95.1012 to 37.95.1014

Rules 37.95.1012 to 37.95.1014. RESERVED

Mont.Admin.R. 37.95.1015

37.95.1015 INFANT'S AND TODDLER'S, OUTDOOR ACTIVITIES

(1) Infants and toddlers shall be protected from draft and prolonged exposure to direct sunlight. With the parent's written permission, sun screen shall be applied to children over six months old when outdoor conditions dictate.

(2) There must be an outdoor play area on the facility property. The play area must be fenced in accordance with

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ARM 37.95.121 and free of hazards which are dangerous to the health and safety of the children. Every time an infant or toddler is outdoors, they must be supervised by a caregiver.

(3) Adequate protection against insects shall be provided.

(4) Provision shall be made for both sunny and shady activity areas.

Mont.Admin.R. 37.95.1016

37.95.1016 INFANT'S AND TODDLER'S, EQUIPMENT

(1) Age-appropriate feeding equipment shall be provided for every four infants or toddlers. This includes safe high chairs, baby feeding tables, booster seats, and child-size tables and chairs. These types of equipment must be used in accordance with the manufacturer's instructions and must be appropriate for the age of the child using the equipment. Portable high chairs that hook onto tables are prohibited.

(2) The facility shall provide adequate and safe equipment such as cribs, swings, playpens, and adult rocking chairs. All equipment must meet current federal safety regulations.

Mont.Admin.R. 37.95.1017 to 37.95.1019

Rules 37.95.1017 to 37.95.1019. RESERVED

Mont.Admin.R. 37.95.1020

37.95.1020. CHILD CARE FACILITIES CARING FOR INFANTS, STAFF REQUIREMENTS
(REPEALED)

Mont.Admin.R. 37.95.1021

37.95.1021 INFANT'S AND TODDLER'S, SPECIAL REQUIREMENTS FOR DAY CARE CENTERS

(1) Day care centers shall post each infant's diet and schedule in an area clearly visible to the center's infant care staff.

(2) Individual storage space for clothing and other personal items shall be provided and labeled for each infant and toddler.

(3) Each infant shall be assigned a caregiver who is routinely responsible for that infant. There shall be sufficient staff so that an adult is always present and directly supervising infants.

(4) Clothing worn to and from work by the day care center staff members shall be covered by or replaced with clean comfortable nonirritating washable smock or similar clothing.

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(5) Play areas for infants shall be separate from play areas used by children over two years of age, or not be used for any children over age two while being used for infants. Sleeping areas shall be separate from play areas.