

1-4 Definitions

- A. Act: The "Mississippi Child Care Licensing Law," Section 43-20-1 et. seq. of the Mississippi Code of 1972.
- B. Agency Representative: An authorized representative of the Mississippi State Department of Health.
- C. Caregiver: A person who provides direct care, supervision, and guidance to children in a child care facility, regardless of title or occupation.
- D. Child Care Facility (Facility): A place which provides shelter and personal care for six (6) or more children who are not related within the third degree computed according to the civil law to the operator and who are under thirteen (13) years of age, for any part of the twenty-four (24) hour day, whether such place be organized or operated for profit or not. The term "child care facility" includes day nurseries, day care centers, child care centers, preschool programs, and any other facility that fall within the scope of the definition set forth above.

Exemptions

To the extent provided by law, including those facilities or programs which satisfy one or more of the requirements for exemption provided in Miss. Code Ann. § 43-20-5(a), an exemption from the provisions of the Act shall be recognized by the licensing agency. Facilities or programs claiming exemption shall be required, upon the written request of the licensing agency, to provide documentation of the facts claimed to support the basis for the exemption, which documentation shall be provided within thirty (30) days of the request by the licensing agency and shall be sworn by affidavit to be true and accurate under the penalties of perjury.

- ~~1. Child care facilities which operate for no more than two (2) days a week, whose primary purpose is to provide respite for the caregiver or temporary care during other scheduled or related activities; and~~
- ~~2. Organized programs which operate for three (3) or fewer weeks per year such as, but not limited to, vacation bible schools and scout day camps; and~~
- ~~3. Any child residential home as defined in, and in compliance with the provisions of Section 43-16-3(b) et seq., Mississippi Code of 1972;~~
- ~~4. Any program in an elementary, including kindergarten, and/or secondary school system, accredited by the Mississippi State Department of Education, the Southern Association of Colleges and Schools, the Mississippi Private School Education Association, the American Association of Christian Schools, or the Association of Christian Schools International.~~

~~Accreditation, for the purpose of exemption from the provisions of this section, means receipt by any school or school system of full accreditation from an accrediting entity listed in this subsection or proof of application by the school or school system for accreditation status from the accrediting entity. Proof of application for accreditation status shall include, but not be limited to, a copy of the applicant's completed application for accreditation filed with the licensing agency and a letter or other authenticating documentation from a signatory authority with the accrediting entity that the application for accreditation has been received and that the applicant is currently under consideration or review for full accreditation status by the accrediting entity. An exemption for a nonaccredited applicant under this item shall be for a maximum of one (1) year from the receipt date by the licensing agency of the completed documentation for proof of application for accreditation status. Failure to receive full accreditation by the end of the one year exemption period for a nonaccredited applicant shall result in the nonaccredited applicant no longer remaining exempt from the provisions of this chapter at the end of the one year period. However, if full accreditation is not received by the end of the one year exemption period, the State Board of Health, in its discretion, may extend the exemption period for any nonaccredited applicant for periods of six (6) months, with the total extension not to exceed one (1) year. During any such extension periods, the board shall have the authority to enforce child care facility licensure provisions relating to the health and safety of the children in the school or school system. If a nonaccredited applicant fails to receive full accreditation by the end of all extended exemption periods, the applicant shall no longer remain exempt from the provisions of this chapter at the end of the extended exemption periods.~~

- ~~5. Any Head Start program operating in conjunction with an elementary school system, whether it be public, private or parochial, whose primary purpose is a structured school or school readiness program;~~
- ~~6. Any family child care home as defined in Mississippi Code Section 43-20-53(a) et seq. To wit: An occupied residence in which shelter and personal care is regularly provided for five (5) or fewer children who are not related within the third degree computed according to the civil law to the provider and who are under the age of thirteen (13) years of age and are provided care for any part of the twenty four (24) hour day. These homes may be voluntarily registered with the Mississippi State Department of Health; and~~
- ~~7. Any membership organization affiliated with a national organization which charges only a nominal annual membership fee, does not receive monthly, weekly, or daily payments for services, and is certified by its national association as being in compliance with the association's minimum standards and procedures, including, but not~~

~~limited to, the Boys and Girls Club of America, and the YMCA.~~

~~For the purposes of this subsection a nominal fee is defined as \$50 or less per year.~~

~~All other preschool child care programs and/or extended day school programs shall meet requirements set forth in these regulations.~~

XVIII. FEEDING OF INFANTS AND TODDLERS

18-1 Hand Washing

Employees shall wash their hands with soap and water, and dry their hands with individual or disposable towels, before and after each feeding. The infant's and toddler's hands shall be washed with soap and water, and dried with individual or disposable towels, before and after each feeding.

18-2 Bottle Feeding

Infants shall be held while being bottle fed. Bottles shall not be propped at any time. With parental consent and when infants are old enough to hold their own bottles, they may feed themselves without being held. The bottle shall be removed at once when empty or when the child has fallen asleep.

18-3 Formula Storage

Formula shall be labeled with the child's name and placed in the refrigerator upon arrival.

18-4 Baby Food

Foods stored or prepared in jars shall be served from a separate dish for each infant or toddler. Any leftovers from the serving dish shall be discarded. Leftovers in the jar shall be labeled with the child's name, dated, refrigerated, and used within the next 24 hours or discarded.

18-5 Heating Unit and Microwave Use

- A. A heating unit for warming bottles and food shall be accessible only to adults.
- B. Microwave ovens shall not be used for warming bottles or baby/infant food.

18-6 Breast-Feeding Accommodations and Staff Training

This section applies to all mothers choosing to breast-feed their child regardless of the child's age.

- A. Breast-feeding mothers, including employees, shall be provided a sanitary place that is not a toilet stall to breast-feed their child or to express milk. This area shall provide an electrical outlet, comfortable chair, and nearby access to running water.

- B. A refrigerator must be available to accommodate storage of expressed breast milk. It is acceptable to store expressed milk in the same refrigerator as other milk/bottles provided each bottle is appropriately labeled with the child's name and the time of expected expiration of the milk. Milk must be stored in accordance with the American Academy of Pediatrics and Centers for Disease Control guidelines. Universal precautions are not required in handling human milk.
- C. Child care staff shall be trained in the safe and proper storage and handling of human milk. Although other training materials may be utilized, training materials will be available through MDH.

Guidelines for Milk Storage and Use for All Infants

Storage Method and Temperature	Maximum Amount of Time For Storage
Room (25 C or 77 F)	4 hours
Refrigerator (4 C or 39 F)	48 hours
Previously thawed - Refrigerated milk	24 hours
Freezer (-20 C or 0 F)	3 months

From the ACOG/AAP publication: *Breastfeeding Handbook for Physicians*