

67:47:01:11. Provider eligibility. To be eligible for payment, all providers under this chapter must submit to the department a completed and signed Internal Revenue Service W-9 form.

____ Except for an in-home provider, an informal provider, or a relative provider, a provider of services under this chapter must meet the applicable licensing or registration requirements of article 67:42.

A provider registered under the requirements of chapter 67:42:17 may not receive child care assistance payments for children who reside in the provider's household.

A relative provider must meet the requirements of § 67:47:01:13.

An in-home provider or an informal provider must meet the requirements of § 67:47:01:13.01.

~~_____ A provider registered under the requirements of chapter 67:42:03 may not receive child care assistance payments for children who reside in the provider's household.~~

~~_____ A provider under this chapter must submit to the department a completed and signed Internal Revenue Service W-9 form.~~

Source: 18 SDR 112, effective January 9, 1992; 19 SDR 102, effective January 18, 1993; 21 SDR 86, effective November 6, 1994; 22 SDR 188, effective July 8, 1996; 24 SDR 30, effective September 14, 1997; 37 SDR 236, effective June 28, 2011; 43 SDR 31, effective September 12, 2016.

General Authority: SDCL 28-1-61~~(+)~~~~(11)~~.

Law Implemented: SDCL 28-1-60, 28-1-61.

Cross-Reference: Deadline for determining eligibility -- Beginning date of eligibility,
§ 67:47:01:06.

67:47:01:11.01. Time limits for meeting provider eligibility requirements --

Beginning date of payment. ~~Payment of benefits for services~~ begins with the date the department receives the completed application if the provider is licensed or registered or is in the process of being licensed or registered. The department shall discontinue payments if the provider does not obtain the required license or registration ~~is not obtained within the 120-day limit~~ sixty days.

A relative provider has ten days to complete, sign, and return the home health and safety checklist, ~~the~~ child care services authorization form required in subdivision 67:47:01:13(6), immunization verification form, and ~~the~~ Internal Revenue Service W-9 form required in § 67:47:01:13. ~~Payment of benefits for services to a relative provider~~ begins the date the department receives these ~~correctly completed~~ forms correctly completed. The home health and safety checklist must also contain the applicant's signature. The signatures of the provider and the applicant on the home health and safety checklist are acknowledgements that the provider has fulfilled the requirements of the health and safety checklist. The completed forms must be postmarked within ten days from the date the department mailed the forms to the provider.

An in-home or informal provider ~~must~~ shall comply with the requirements of § 67:47:01:13.01. Payment for services to an in-home or informal provider begins the date the department receives the completed intent to provide services form, results of the state criminal fingerprint background check, and verified completion of ~~CPR~~ cardiopulmonary resuscitation and orientation training.

_____ If an in-home or informal provider is ineligible to receive payment due to the results of the state criminal background check, the department must provide notice that the provider is ineligible and provide guidance regarding the appeal process.

Source: 22 SDR 188, effective July 8, 1996; 24 SDR 30, effective September 14, 1997; 27 SDR 43, effective October 26, 2000; 33 SDR 152, effective April 4, 2007; 37 SDR 236, effective June 28, 2011; 43 SDR 31, effective September 12, 2016; 45 SDR 82, effective December 10, 2018.

General Authority: SDCL 28-1-61~~(+)~~,~~(4)~~.

Law Implemented: SDCL 28-1-60, 28-1-61.

Cross-Reference:

_____ Application for license or registration certificate, § 67:42:17:02.

_____ Requirements for relative provider, § 67:47:01:13.

67:47:01:13.01. Requirements for in-home or informal provider. An in-home or informal provider, in order to qualify for child care assistance payments, shall:

(1) Be at least ~~18~~ eighteen years old;

(2) Submit to a background check and comply with the requirements of ~~67:42:16:04~~ § 67:42:17:13 for any individual who cares for ~~or~~ supervises a child, or has unsupervised access to a child;

(3) Have ~~documented~~ documentation of completed orientation training ~~within 90 days after the receipt of the application in at least:~~

- ~~_____ (a) Prevention and control of infectious diseases;~~
- ~~_____ (b) Prevention of sudden infant death syndrome and use of safe sleep practices;~~
- ~~_____ (c) Administration of medication;~~
- ~~_____ (d) Prevention of and response to an emergency due to food or allergic reaction;~~
- ~~_____ (e) Building and physical premises safety;~~
- ~~_____ (f) Prevention of shaken baby syndrome and abusive head trauma;~~
- ~~_____ (g) Emergency preparedness and response planning for an emergency resulting from a natural disaster or man-caused event;~~
- ~~_____ (h) Handling and storage of hazardous materials and the appropriate disposal of bio-contaminants;~~
- ~~_____ (i) Precautions in transporting a child;~~
- ~~_____ (j) Recognition and reporting of child abuse and neglect;~~
- ~~_____ (k) First aid;~~

~~_____ (l) Cardiopulmonary resuscitation (CPR). CPR training shall include hands-on skill testing as part of the training. CPR certification is required prior to a staff member being left unsupervised to care for children. CPR certification shall remain valid at all times; and~~

~~_____ (m) Child development each of the training areas listed in § 67:42:17:17;~~

(4) Submit to an annual inspection ~~and meet;~~

~~_____ (5) Meet health and safety standards included in the topics listed in subdivision (3) of this section~~ required by 45 C.F.R. § 98.41, in effect on September 30, 2016; and

~~(5) (6) Complete a minimum of three hours per year of on-going training and provide verification of completion. Training may must include any of the orientation training categories and may include requirements relating to: nutrition; access to physical activity; caring for a child with special needs; any other subject area determined to be necessary to promote child development or to protect a child's health and safety listed in § 67:42:17:17.~~

Source: 43 SDR 31, effective September 12, 2016; 44 SDR 42, effective September 11, 2017; 45 SDR 82, effective December 10, 2018.

General Authority: SDCL 28-1-61~~(1)~~~~(11)~~.

Law Implemented: SDCL 28-1-60, 28-1-61~~(1)~~~~(11)~~.

Cross-Reference:

~~_____~~ Background check, § 67:42:17:13.

~~_____~~ Orientation training, § 67:42:17:17.

~~_____~~ Health and safety requirements, 45 C.F.R. § 98.41.