

# PROCEDURE

Cancels: NEW

See also: POL 10.2.10; RCW 43.216; 110-300; 110-301

Approved by: Travis Hansen

## PRO 10.2.10 MODIFYING CHILD CARE LICENSES (ENFORCEMENT ACTION)

Action by:

Action:

Licensing Staff

1. **Identifies** concerns and **consults** use of modifying license with Supervisor.

Supervisor

2. **Determines** if modifying a license (enforcement action) is necessary based on non-compliance with WACs and RCWs.

Modification may be used when, but is not limited to:

- A provider is unable or unwilling to come into compliance
- A new measurement requires a reduced capacity
- Licensed space found missing from Certificate of Occupancy (CO)
- Failure to come into compliance after a civil penalty was previously issued for the same noncompliance
- Refusal of a FLCA or Probationary License
- Settlement Agreement/Court Order

2a. If more information is needed, **contacts** provider.

2b. If a modification is part of a settlement or court order, **skips to step 9.**

3. **Consults** with Area Administrator (AA) about modification of license.

AA

4. **Authorizes** modification of license or **discusses** alternate options with Supervisor.

Supervisor

5. **Informs** Licenser of decision.

5a. If alternate plan used, **exits** procedure.

- Supervisor or Licensors
6. **Discusses** modification of license with the provider.
- Licensors
7. **Completes** *DCYF 09-192 Notice of Modification of Child Care License* and **sends** to Supervisor.
- 7a. If modification effective date is prior to 28 days from date of receipt, **updates** new license per WA Compass User Manual, **prints** paper license, and **sends** paper license and WA Compass approval to Supervisor.
- Supervisor
8. **Reviews** letter(s) and **sends** to AA.
- 8a. If AAG consultation needed, **consults** or **sends** AAG letter for review.
- AA
9. **Reviews** letter(s); **notifies** Supervisor once letter(s) is approved.
- Licensing Staff
10. **Delivers** letter(s) by one of the following methods:
- Hand delivered with form *DCYF 15-903 Declaration of Personal Service*
  - Certified mail with return receipt
  - Authorized process server with approval from Supervisor/AA.
- Licensors
11. **Sends** letter(s) to distribution list noted on the legal document.
- Supervisor
- 11a. If license already issued and sent to provider, **documents** in WA Compass the modification decision and subsequent actions within 10 business days, and **exits** this procedure.
12. **Waits 28 days** and **updates** new license per WA Compass User Manual, **prints** paper license, and **sends** paper license and WA Compass approval to Supervisor.
- 12a. If modification has been appealed, wait for hearing process to conclude before issuing license.
13. **Signs** paper copy for delivery.

Licensing Staff

14. **Returns** license to Licensor.
15. **Sends** license to provider.
16. **Notifies** Child Care Aware and Child Care Subsidy within three business days of modification license issuance.
17. **Documents** in WA Compass the modification decision and subsequent actions within 10 business days.

**\*Modification** - when used in reference to an early learning or school-age provider's licensing status, means an enforcement action by the department to change the conditions identified on a licensee's current license. If a provider initiates a request to change conditions identified on their current license, this is not considered a modification.