

**10A NCAC 09 .2214 SCHEDULE OF CIVIL PENALTIES FOR FAMILY CHILD CARE HOMES**

Penalties may be assessed against family child care homes as defined in G.S. 110-86(3)(b) as follows:

- (1) A civil penalty in an amount up to one thousand dollars (\$1,000) may be imposed for the following violations:
  - (a) When the Division has determined that child maltreatment occurred while a child was in care at the family child care home; or
  - (b) Willful, repeated pattern of non-compliance with any requirement.
- (2) A civil penalty in an amount up to two hundred dollars (\$200.00) may be imposed for the following violations:
  - (a) Non-compliance with the standards of G.S. 110, Article 7 and this Chapter for:
    - (i) Licensed capacity;
    - (ii) Supervision of children;
    - (iii) Administration of medication to children;
    - (iv) Emergency medical care plan;
    - (v) Discipline of children;
    - (vi) Transportation of children; or
    - (vii) Use of swimming pools and other swim areas;
  - (b) Disapproved fire safety, building or sanitation inspection reports;
  - (c) Relocation of the family child care home without prior notification to the Division;
- (3) A civil penalty in an amount up to one hundred dollars (\$100.00) may be imposed for the following violations:
  - (a) Non-compliance with the standards of G.S. 110, Article 7 and this Chapter for:
    - (i) Staff health requirements;
    - (ii) Staff qualifications;
    - (iii) Staff training;
    - (iv) Children's health requirements;
    - (v) Proper nutrition;
    - (vi) Sanitation and personal hygiene practices;
    - (vii) Age-appropriate activities;
    - (viii) Posting current license;
    - (ix) Maintaining accurate records; or
    - (x) Safe environment;
  - (b) Failure to comply with a corrective action plan; and
  - (c) Denial of entry to a representative of the Department or Division.
- (4) Violation of other standards of G.S. 110, Article 7 and this Chapter that are not specifically referenced elsewhere in this Rule may result in the assessment of a penalty according to the effect or potential effect of the violation on the safety and well-being of the child.

*History Note: Authority G.S. 110-85; 110-86(3); 110-88(1),(5),(6a); 110-91; 110-98; 110-103.1; 110-105; 110-105.2; 110-105.6; 110-106; 143B-168.3; 150B-23; Eff. October 1, 2017.*