

TITLE 9. HEALTH SERVICES
CHAPTER 5. DEPARTMENT OF HEALTH SERVICES
CHILD CARE FACILITIES

Section

- R9-5-201. Application for a License
- R9-5-205. License Renewal
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R9-5-201. Application for a License

- A.** An applicant for a license shall:
1. Be at least 18 years of age;
 2. If an individual, be a U.S. citizen or legal resident alien and a resident of Arizona;
 3. If a corporation, association, or limited liability company, be a domestic entity or a foreign entity qualified to do business in Arizona;
 4. If a partnership, have at least one partner who is a U.S. citizen or legal resident alien and a resident of Arizona;
 5. Submit to the Department an application that includes:
 - a. A notarized application form signed by the applicant stating:
 - i. The applicant's name;
 - ii. The facility's name, street address, mailing address, and telephone number;
 - iii. The applicant's type of business organization;
 - iv. The name and business or residential address of each controlling person;
 - v. That no controlling person has been denied a certificate to operate a child care group home or a license to operate a child care facility for the care of children in this state or another state;
 - vi. That no controlling person has had a certificate to operate a child care group home or a license to operate a child care facility revoked in this state or another state for reasons that relate to endangerment of the health and safety of children;
 - vii. Whether the applicant agrees to allow the Department to submit supplemental requests for information; and
 - viii. That the applicant has read and will comply with these rules and declares that the information provided in the application is accurate and complete;
 - b. If the applicant is a business organization, an Attachment to Application including the following organizational information about the applicant:

- i. The address of the business organization;
 - ii. The name, title, and address of each officer and board member or trustee; and
 - iii. A copy of the business organization's articles of incorporation, articles of organization, or partnership or joint venture documents, if applicable;
- c. A copy of the applicant's valid class one or class two fingerprint clearance card issued according to A.R.S. § 41-1758.03;
- d. A Criminal History Affidavit Class I or Class II completed by the applicant and including the information required by A.R.S. § 36-883.02;
- e. A certificate issued by the Department showing that the applicant has completed at least four hours of Department-provided training that included the Department's role in licensing and regulating child care facilities under A.R.S. Title 36, Chapter 7.1, Article 1 and these rules;
- f. If the applicant is an individual, a copy of one of the following for the applicant:
 - i. A U.S. passport,
 - ii. A birth certificate,
 - iii. Naturalization documents, or
 - iv. Documentation of legal resident alien status;
- g. If the applicant is a corporation or a limited liability company, a certificate of good standing issued to the applicant by the Arizona Corporation Commission and dated within six months before the date of application;
- h. If the applicant is a partnership or an association, a copy of one of the following for one partner or association member of the applicant:
 - i. A U.S. passport,
 - ii. A birth certificate,
 - iii. Naturalization documents, or
 - iv. Documentation of legal resident alien status;
- i. The following information about the applicant's designated agent:
 - i. Name;
 - ii. Residential and business addresses;
 - iii. Residential and business telephone numbers; and
 - iv. Residential and business fax numbers, if any;

- j. A copy of one of the following for the applicant's designated agent:
 - i. A U.S. passport,
 - ii. A birth certificate,
 - iii. Naturalization documents, or
 - iv. Documentation of legal resident alien status;
- k. The documents required by R9-5-607;
- l. An Applicant, Staff, and Resident Report Form, including the applicant's name and address; a statement that the information on the form is accurate and complete; the dated signature of the applicant; and the following information about the applicant, each staff member, and each resident:
 - i. Name;
 - ii. Social security number or identification number issued by the U.S. Immigration and Naturalization Service;
 - iii. Birth date;
 - iv. Hire date, if applicable;
 - v. Job title, if a staff member, or relationship to the applicant or director, if a resident;
 - vi. Date of high school diploma or high school equivalency diploma, if applicable; and
 - vii. Information demonstrating each individual's compliance with A.R.S. § 36-883.02;
- m. An Agricultural Land Notification Form, including:
 - i. The facility's name and address;
 - ii. Whether the facility is located within one-fourth mile of agricultural land; and
 - iii. If the facility is located within one-fourth mile of agricultural land, the names and addresses of the owners or lessees of all agricultural land located within one-fourth mile of the facility;
- n. If the facility is located within one-fourth mile of agricultural land, and a child care facility has not previously been licensed at the same location, a copy of an agreement complying with A.R.S. § 36-882(D) for each parcel of agricultural land affected;
- o. A Director Qualifications Form completed by the individual that the applicant intends to have serve as facility director, including:

- i. The name of the individual;
- ii. The facility's name, address, and telephone number;
- iii. A statement that the individual is at least 21 years of age, will accept the primary responsibility for the daily administration and operation of the facility, and possesses the minimum qualifications required by R9-5-401;
- iv. An indication of the individual's credentials or academic experience complying with R9-5-401;
- v. A list of the individual's qualifying child care experience, including beginning and ending dates; positions held; each facility's name, address, and telephone number; a description of the experience at each facility; and the number of hours per week worked at each facility;
- vi. A copy of the individual's diploma or transcript from each high school, college, university, or other educational facility attended by the individual, showing the name and location of the educational facility; the course of study pursued at the educational facility; the date of any diploma or degree attained at the educational facility; and the number of credit hours completed or the diploma or degree attained at the educational facility;
- vii. A copy of the certificate of attendance from each child-care workshop attended by the individual;
- viii. A statement that the individual has provided the licensee with the names, addresses, and telephone numbers of two professional references and two personal references and with at least one written professional reference and one written personal reference;
- ix. A statement that the information in the Director Qualifications Form is accurate and complete; and
- x. The signature of the individual; and
- p. The applicable fee required by A.R.S. § 36-882 in R9-5-210.

B. The Department requires a separate license and a separate application for:

- 1. Each facility owned by the same person at a different location, and
- 2. Each facility owned by a different person at the same location.

C. The Department does not require a separate application and license for a structure that is:

1. Located so that the structure and the facility:
 - a. Share the same street address, or
 - b. Can be enclosed by a single unbroken boundary line that does not encompass property owned or leased by another;
2. Under the same ownership as the facility; and
3. Intended to be used as a part of the facility.

R9-5-205. License Renewal

- A.** At least 45 days before the expiration date of a current license, an applicant for renewal of a license shall submit to the Department an application including:
1. A notarized application form signed by the applicant that includes:
 - a. The applicant's name;
 - b. The facility's name, street address, mailing address, and telephone number;
 - c. The applicant's type of business organization; and
 - d. A statement that the applicant has read and will comply with these rules and declares that the information provided in the application is accurate and complete;
 2. An Attachment to Application including any changes to the information previously submitted as prescribed in R9-5-201(A)(5); and
 3. The applicable fee required by A.R.S. § 36-882 in R9-5-210.
- B.** An applicant that submits the items required by subsection (A) later than 45 days before the expiration date of the current license shall pay to the Department ~~the~~ a late filing fee ~~required by A.R.S. § 36-882.~~ as follows:
1. For a child care facility with a licensed capacity of 5 to 10 children, \$100;
 2. For a child care facility with a licensed capacity of 11 to 59 children, \$400; or
 3. For a child care facility with a licensed capacity of 60 or more children, \$780.
- C.** If an applicant submits the items required by subsection (A) and the late fee required ~~by~~ in subsection (B), if applicable, before the expiration date of the current license, the current license does not expire until the date specified in A.R.S. § 41-1092.11(A)

R9-5-210. Repealed Fees

An applicant submitting an initial application or a renewal application for a child care facility shall submit to the Department a fee as follows:

1. For a child care facility with a licensed capacity of 5 to 10 children, \$1,000;
2. For a child care facility with a licensed capacity of 11 to 59 children, \$4,000; or

3. For a child care facility with a licensed capacity of 60 or more children, \$7,800.