

Prevention of and Response to Emergencies Due to Food and Allergic Reactions

The Child Care and Development Block Grant (CCDBG) Act of 2014¹ and the Child Care and Development Fund (CCDF) Program final rule (2016)² require states and territories to have health and safety requirements in 11 different topic areas, as well as preservice and ongoing training on those topics, for all providers that receive payments from the CCDF subsidy program.³ This brief provides an overview of the **prevention of and response to emergencies due to food and allergic reactions**.

A series of briefs about CCDF health and safety requirements was first released in July 2016 by the National Center on Early Childhood Quality Assurance (ECQA Center) in response to the CCDBG Act of 2014. A summary of findings about the topic from the [2017 Child Care Licensing Study](#) is a feature of this July 2020 update to those briefs. Data for the study were compiled from state child care licensing regulations in effect as of December 31, 2017 (ECQA Center, 2020a, 2020b, 2020c).

Licensing and CCDF Administrators may find the brief helpful as they consider revisions to state standards for both licensed and license-exempt providers. It may also be of value to early childhood and school-age care programs and family child care providers, helping them understand and improve the health and safety of their learning environments.

What Are the Basic Requirements?

[Caring for Our Children Basics: Health and Safety Foundations for Early Care and Education](#) (CFOCB) represents the minimum health and safety standards experts believe should be in place where children are cared for outside their homes. The following lists contain CFOCB links to the basic requirements for the prevention of and response to emergencies due to food and allergic reactions.

- ◆ [Care for Children With Food Allergies](#)

Best practices, which exceed CCDF requirements, are found in [Caring for Our Children: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs, CFO Standards Online Database](#) (CFOC). You can learn more about best practice recommendations to prevent and respond to emergencies due to food and allergic reactions by exploring the following CFOC links:

- ◆ [1.4.3.2: Topics Covered in Pediatric First Aid Training](#)
- ◆ [3.5.0.1: Care Plan for Children with Special Health Care Needs](#)
- ◆ [4.2.0.2: Assessment and Planning of Nutrition for Individual Children](#)
- ◆ [4.2.0.8: Feeding Plans and Dietary Modifications](#)
- ◆ [4.2.0.10: Care for Children with Food Allergies](#)

¹ 42 U.S.C. § 9858c(c)(2)(I) (2015).

² Child Care and Development Fund, 45 C.F.R. § 98.41 (2016).

³ Child Care and Development Fund, 45 C.F.R. § 98.44 (2016).

- ◆ [9.2.3.7: Information Sharing on Therapies and Treatments Needed](#)
- ◆ [9.4.2.2: Pre-Admission Enrollment Information for Each Child](#)
- ◆ [Appendix O: Care Plan for Children with Special Health Care Needs](#)
- ◆ [Appendix P: Situations that Require Medical Attention Right Away](#)

Why Is It Important to Children?

According to a study released in 2013 by the Centers for Disease Control and Prevention, food allergies among children increased approximately 50 percent between 1997 and 2011 (Jackson et al., 2013). One in every 13 children (under 18 years of age) in the United States is affected by food allergies. That's roughly two in every classroom (Food Allergy Research and Education, n.d.).

A reaction to food can range from a mild response (such as an itchy mouth) to anaphylaxis, a severe and potentially deadly reaction (Food Allergy Research and Education, n.d.). In the United States, the following eight foods or food groups account for 90 percent of serious allergic reactions: milk, eggs, fish, crustacean shellfish, wheat, soy, peanuts, and tree nuts (Boyce et al., 2010). Strict avoidance of food allergens and early recognition and management of allergic reactions to food are important measures to prevent serious health consequences (U.S. Food and Drug Administration, 2010).

How Do States Establish Requirements?

Key Findings from the 2017 Child Care Licensing Study

Findings from the [2017 Child Care Licensing Study](#), a large-scale research study of child care licensing requirements for child care centers, family child care homes (FCCHs), and group child care homes (GCCHs), reflect commonly found requirements related to food allergies (ECQA Center, 2020a, 2020b, 2020c). “Percent of states” and “states” refer to data from all 50 states and the District of Columbia.

- ◆ Sixty-five percent of states have requirements for child care centers about children’s **food allergies**. Less than half of states have these requirements for FCCHs and GCCHs.

Examples of State Licensed Child Care Requirements

The following tables provide links to state licensing requirements from **Delaware, Florida, Georgia, and North Carolina** that support the prevention of and response to emergencies due to food allergies. These examples do not include all states that have these requirements but are meant to represent a range of approaches states have taken in their regulations.

Links to the full text of state and territory licensing regulations for child care centers, FCCH settings, and GCCH settings are found in the [National Database of Child Care Licensing Regulations](#).

Child Care Center Requirements

Delaware

DELACARE: Regulations for Early Care and Education and School-Age Centers (May 2019)

<https://kids.delaware.gov/occl/pdf/delacare-regulations-center-2019.pdf>

32: Orientation
40: Child Files
64: Child Accident and Injury
71: Meals and Snacks

Florida

Child Care Facility Handbook, Florida Department of Children and Families (December 2019)

<https://www.myflfamilies.com/service-programs/child-care/docs/FacilityHandbook.pdf?d=2020-4-10>

3.9.3: Food Safety
7(B)12: Record Keeping

Family Child Care Home Requirements

Georgia

Rules and Regulations: Family Child Care Learning Homes, Chapter 290-2-3 (October 2019)

<http://decalf.ga.gov/documents/attachments/FCCLHRulesAndRegulations.pdf>

290-2-3-.08: Children's Records

North Carolina

Chapter 9 - Child Care Rules, Section .1700: Family Child Care Home Requirements (September 2019)

http://ncchildcare.nc.gov/PDF_forms/DCDEE_Rulebook.pdf

10A NCAC 09.1703: Ongoing Requirements for Family Child Care Home Operators
10A NCAC 09 1706: Nutrition Standards
10A NCAC 09 1714: Emergency Preparedness and Response
10A NCAC 09 1720: Medication Requirements
10A NCAC 09 1721: Requirements for Records

Examples of State License-Exempt Child Care Requirements

States have exemptions in law or regulation that define the types of center-based facilities and home-based providers that are not required to obtain a state license to operate legally. Most states allow some exempt providers to receive CCDF funding. Although exempt providers are not subject to the regulatory requirements set forth by the licensing agency, the CCDF final rule⁴ requires states and territories to have health and safety requirements in 11 different topic areas for all providers participating in the CCDF subsidy program, as well as preservice and ongoing training on those topics.⁵

The following table provides examples from **Arkansas** and **Iowa** of requirements for license-exempt programs about the prevention of and response to emergencies due to food and allergic reactions. These examples do not

⁴ Child Care and Development Fund, 45 C.F.R. § 98.41 (2016).

⁵ Child Care and Development Fund, 45 C.F.R. § 98.44 (2016).

include all states that have these requirements but are meant to represent a range of approaches states have taken in establishing requirements for license-exempt programs.

License-Exempt Child Care Requirements

Arkansas

Minimum Licensing Requirements for Registered Child Care Family Homes (January 2020)

https://humanservices.arkansas.gov/images/uploads/dccece/Final_RCCFH.pdf

602: Children's Records

702: Infant and Toddler Nutrition Requirements

Iowa

Chapter 120, Child Care Homes, Iowa Administrative Code (November 2019)

<https://www.legis.iowa.gov/docs/ACO/chapter/441.120.pdf>

441—120.9(237A): Children's files.

441—120.10(237A): Professional development.

Where Can I Find More Information?

2017 Child Care Licensing Study

The ECQA Center, in partnership with the National Association for Regulatory Administration, has conducted a large-scale research study of child care licensing provider and facility requirements and licensing agency policies every three years since 2005. The [2017 Child Care Licensing Study](#) looks at licensing requirements for child care centers, family child care homes, and group child care homes and licensing agency policies in all 50 states and the District of Columbia for 2017. The ECQA Center (2020a, 2020b, 2020c) released three research briefs about trends in child care licensing that describe changes in licensing requirements and policies by comparing the findings from the 2017 study with findings from previous child care licensing studies.

- ◆ [Trends in Child Care Center Licensing Requirements and Policies for 2017: Research Brief #1](#)
- ◆ [Trends in Family Child Care Home Licensing Requirements and Policies for 2017: Research Brief #2](#)
- ◆ [Trends in Group Child Care Home Licensing Requirements and Policies of 2017: Research Brief #3](#)

Healthy States: Health and Safety Training Toolkit

The [Healthy States: Health and Safety Training Toolkit](#), by the National Center on Early Childhood Health and Wellness, provides up-to-date research and science-informed resources, including online modules, webinars, and other materials. Its purpose is to inform and train program-level staff in all early childhood education settings.

The toolkit also gives a summary of the health and safety requirements in the CCDBG Act of 2014 and provides links to CFOCB and CFOC.

Additional Resources

- ◆ [Caring for Our Children Basics Health and Safety Standards Alignment Tool for Child Care Centers and Family Child Care Homes](#) (2016), by the National Center on Early Childhood Quality Assurance, provides a simple format for states and territories to compare their current early childhood program requirements and standards against the recommended health and safety standards in CFOCB.
- ◆ [Developing and Revising Child Care Licensing Requirements](#) (2017), by the National Center on Early Childhood Quality Assurance, presents steps for developing and revising child care licensing requirements based on several states' successful practices.
- ◆ [Child Care Licensing Tools and Resources](#) (n.d.), a page of the [Early Childhood Training and Technical Assistance System](#) website with tools and resources about child care licensing designed to help states and territories improve their practices, strengthen provider requirements, and develop the skills of licensing staff.

References

- Boyce, J. A., Assa'ad, A., Burks, A. W., Jones, S. M., Sampson, H. A., Wood, R. A., ... Schwaninger, J. M. (2010). Guidelines for the diagnosis and management of food allergy in the United States: Report of the NIAID-sponsored expert panel. *Journal of Allergy and Clinical Immunology*, 126(6), S1–S58.
- Food Allergy Research & Education. (n.d.). *Facts and statistics*. Retrieved on June 18, 2020, from <https://www.foodallergy.org/resources>
- Jackson, K. D., Howie, L. D., & Akinbami, L. J. (2013). *Trends in allergic conditions among children: United States, 1997–2011*. National Center for Health Statistics data brief. Atlanta, GA: Centers for Disease Control and Prevention. <http://www.cdc.gov/nchs/products/databriefs/db121.htm>
- National Center on Early Childhood Quality Assurance. (2020a). Trends in child care center licensing requirements and policies for 2017: Research brief #1. <https://childcareta.acf.hhs.gov/resource/trends-child-care-center-licensing-requirements-and-policies-2017-research-brief-1>
- National Center on Early Childhood Quality Assurance. (2020b). Trends in family child care home licensing requirements and policies for 2017: Research brief #2. <https://childcareta.acf.hhs.gov/resource/trends-family-child-care-home-licensing-requirements-and-policies-2017-research-brief-2>
- National Center on Early Childhood Quality Assurance. (2020c). Trends in group child care home licensing requirements and policies for 2017: Research brief #3. <https://childcareta.acf.hhs.gov/resource/trends-group-child-care-home-licensing-requirements-and-policies-2017-research-brief-3>
- U.S. Food and Drug Administration, Center for Food Safety and Applied Nutrition. (2017). *Food allergies: What you need to know*. <https://www.fda.gov/media/79019/download>

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