COVID-19 QUESTIONS AND ANSWERS
For ALL NEW YORK CHILD CARE PROGRAMS

Why isn't OCFS issuing new regulations on COVID-19?
On March 7, 2020, Governor Andrew Cuomo declared a Disaster Emergency in the State of New York and everyone was directed to follow the COVID-19 requirements and recommendations of the NY Department of Health. Rather than change the regulations, OCFS added this change -

> 1.15 Management and Administration (1) (iii) Each [child care program] must operate in compliance with all emergency health guidance promulgated by the Department of Health in the interest of public health during a designated public health emergency. Provided that, during a designated public health emergency, any relevant emergency directives from the executive chamber or from the Department of Health shall supersede regulations of the Office in the case of any conflict.

In the last year, OCFS has made changes to the regulations that are not COVID-19 related –
- On August 19, 2020 – adoption of emergency regulations to clarify when school-age children not in in-person schools could attend a child care program.
- In January 2021 - added training topic #10 on adverse childhood experiences, focused on understanding trauma and on nurturing resiliency was added
- In March 2021 – new requirements for Elijah's Law and a new health care plan

What regulations do we follow? –
For COVID-19 related issues, follow the State DOH's
- Interim Guidance for Child Care and Day Camp Programs During the COVID-19 Public Health Emergency - June 26, 2020
- Travel Advisory – updated regularly

These sections of the OCFS regulations have not changed.
- Applying for and Renewing a License
- Building & Equipment
- Fire Protection
- Safety
- Transportation
- Behavior Management
- Child Abuse & Maltreatment
- Nutrition
- Staff Requirements
- Training
- Management & Administration

It is a little confusing, but for these sections, most of the OCFS regulations have not changed. HOWEVER, there is information in the Interim Guidance that affects some of the registrations in these sections. You have to be aware of both.
- Program Requirements
- Supervision of Children
- Health and Infection Control

Do we follow CDC recommendations?
The CDC issues recommendations. Each state DOH decides whether or not to follow them. Follow what the State DOH says to do.

Do we follow what the Westchester County DOH or the State DOH say to do?
Follow what the State DOH says to do. The County DOH implements their policies.

What do I do if I have someone exposed to the virus or a positive case in the program?

(1) You must contact the County DOH, if you have anyone exposed to a positive case or a positive case in your program. They will tell you what you need to do.

(2) You must speak to your licensor or someone else at the OCFS regional office. If your calls goes to voicemail, call the main number - 845-708-2400 – and speak to someone. If it is after hours, leave a message with your licensor and call back the next day. You do not give them the name of the child or employee.

Is the maximum group size still 15? If yes, when will that change?
The maximum group size (except for infants and toddlers center classrooms) is still 15. We do not know if that will change in the next months.

Is New York making getting a COVID-19 vaccination mandatory?
No, the state has not at this point mandated that employees of child care programs be vaccinated. Individual programs can if they choose to do this.

Now that I am fully vaccinated, what can I do or not do?
- Continue to wear a mask, wash your hands, and socially distance.
- If you are exposed to someone who is positive, you do not have to quarantine.
- The travel advisory requirements are still in effect but may change in early April

When will children get the vaccinations?
Younger children will not receive vaccinations for several months. The Pfizer and Johnson & Johnson vaccines are cleared for individuals age 16 and above. The Moderna vaccine is for individuals 18 and above. Trials for younger children 6 months and older are starting now.