

Information and guidance related to COVID-19 is changing rapidly. Please refer to the Physicians Insurance website for the most up-to-date information.

Guidance – Childcare for Healthcare Providers in Oregon during COVID-19

Draft date: April 23, 2020

1. Updated Guidance.

The Oregon Early Learning Division is no longer accepting applications for temporary emergency child care facilities. Temporary emergency child care facilities are defined as “new emergency child care facilities established by experienced child care providers.”

Healthcare providers are considered essential workers, and are prioritized to receive emergency child care. Resources for locating emergency childcare are reproduced below – the website referenced below is orm.naccraware.net/orm/ormSearch¹

To receive a customized referral to emergency child care programs contact 211info by:

- Calling 211. Listen to the prompt for Child Care and press the specified number.
- Texting the keyword “children” or “niños” to 898211 (TXT211).
- Emailing children@211info.org.
- [Click here](#) to visit the website. HOURS: Monday – Friday: 7 a.m. to 11 p.m.; Saturday – Sunday: 8 a.m. to 8 p.m.

Families for whom child care is not absolutely necessary should keep their children at home to ensure caregivers who remain open can serve those most in need, such as health care workers and other first responders.

2. Prior Guidance (Effective April 13, 2020).

2.1 Summary.

Per the Early Learning Division’s interpretation of Governor Brown’s Executive Order, any child care facility that is not classified as an Emergency Child Care Center is required to close effective March 25, 2020 – April 28, 2020.

As of March 25, 2020, the only child care facilities that are permitted to be open in Oregon are those that submit an application as an Emergency Child Care facility and are approved by Oregon Early Learning Division, Office of Child Care (OCC) as such. Providers offering emergency child care must also follow guidance provided by OCC and the Oregon Health Authority.

¹ This material can be accessed at: <https://oregonearlylearning.com/COVID-19-Resources/Emergency-Child-Care#1585264289292-ff394e26-8adf>. The emergency childcare website link might require a provider to enter the website address manually.

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Healthcare providers are among the first priority level for child care. Oregon is considering new emergency child care requests on a case by case basis, to the extent that a facility would be required to be licensed under Oregon law.

2.2 Analysis.

Even if a health care facility is eligible to set up childcare onsite, they must also submit an application to be an Emergency Childcare Facility to operate as of March 25, 2020. They also must follow new safety procedures and guidelines, which are linked below.

Resources for individual health care practitioners to locate child care are included in the original information/links section of this document.

2.3 Next steps.

The Emergency Child Care Facility Application is linked here:

<https://oregonearlylearning.com/wp-content/uploads/2020/03/Emergency-Child-Care-Facility-Application.Final-Draft.3.25.20.v8.pdf>.

An Emergency Child Care Guide for Temporary Childcare Facilities is linked here:

https://oregonearlylearning.com/wp-content/uploads/2020/03/Emergency-Child-Care-Guide-for-Child-Care-Facilities_FINAL_4.2.20-1.pdf.

The Emergency Background Check Application is linked here:

<https://oregonearlylearning.com/wp-content/uploads/2020/03/Emergency-Background-Check-ApplicationEBC-601.pdf>

The Early Learning Division and Oregon Health Authority have also promulgated Safety Information and Guidance for childcare providers – this information is linked here, and contains information regarding staffing ratios and maximum child numbers:

https://oregonearlylearning.com/wp-content/uploads/2020/03/Guidance-for-Child-Care-and-Emergency-Child-Care-COVID-19.3-23-20.FINAL_.pdf.

A link to Sanitation Recommendations and a Cleaning Schedule for Emergency Child Care settings is linked here:

https://oregonearlylearning.com/wp-content/uploads/2020/03/Sanitation-Recommendation-and-Cleaning-Schedule-for-Emergency-Childcare_OHAApproved_FINAL3.30.30.pdf.

It is notable that the Early Learning Division has sent information to currently licensed child care facilities to emphasize the steps/requirements that are needed in order to operate as an emergency child care facility. This information is reproduced below:

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This is a moment when our child care community must come together to support our state's response to COVID-19. As a child care provider, the first question to ask yourself is this: **Are you willing and able to answer the call to provide emergency child care?**

Make this decision in consideration of the following:

- Is your staff willing to care for children who will have exposure because their families are working outside of the home? Are staff willing to assume this risk?
- Can you provide care in groups of 10 or fewer children?
- Can you implement [safety procedures and guidance](#) provided by the [Early Learning Division](#) and the [Oregon Health Authority](#)? These are not routine health and safety procedures. For example, you will be asked to take the temperature of children and staff daily, remove certain items from the care environment due to the fact that the virus can live on porous materials, implement more frequent cleaning procedures to keep children and staff safe, etc.
- Are you caring for families that still need child care because they are working outside of the home? Are you willing to have difficult conversations with families who do not need child care and encourage them to keep their children at home?

Further information regarding temporary changes to child care rules is linked here: https://oregonearlylearning.com/wp-content/uploads/2020/03/Temp-Order-Memo-Revised.Final_Updated3.30.20.pdf

3. Original Guidance (March 25, 2020).

ORS 329A.250 delineates several exceptions to the requirement of childcare licensure. Unless the health care provider that is contemplating establishing child care services is owned by a political subdivision of the state or a government agency, it likely will not fit within an exemption, and will require a license to provide child care.

These exceptions are summarized as follows:

- (a) Care provided in the child's home;*
- (b) Care provided by parents, guardians, blood relatives;*
- (c) Care provided on an occasional basis (meaning no more than 70 days in a calendar year), by a babysitter, or by providers of medical services;*
- (d) Care provided by a person who cares for children from only one family other than the person's own family;*
- (e) Care provided by a person who cares for no more than three children other than the person's own children;*
- (f) Care provided by a person who is a member of the child's extended family, as determined by the office on a case-by-case basis;*
- (g) A Preschool recorded program;*

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- (h) A facility providing care for school-age children that is primarily a single enrichment activity, for eight hours or less a week;
- (i) A facility providing care that is primarily group athletic or social activities sponsored by or under the supervision of an organized club or hobby group;
- (j) A facility operated by a school district, a political subdivision of the state, or a governmental agency;
- (k) A residential facility licensed under [ORS 443.400](#) to [443.455](#);
- (l) Babysitters;
- (m) A facility operated as a parent cooperative for no more than four hours a day;
- (n) A facility providing care while the child's parent remains on the premises and is engaged in an activity offered by the facility or in other nonwork activity; and
- (o) A facility operated as a school-age recorded program.

Thus, if the health care entity that would like to provide onsite care is part of a political subdivision of the state, or a governmental agency, they are eligible to set up childcare onsite without a license. Or, non-governmental health care providers may set up child care onsite without a license, but it cannot exceed 70 days in a calendar year. Should any requesting entity fall within these parameters, further requirements and considerations regarding child care can be addressed in a separate guidance document.

4. Original information/links.

The Oregon Early Learning Division, Office of Child Care (OCC) is creating an expedited process for providers to set up new, emergency childcare services for medical personnel. There are some requirements for eligibility; OCC has advised that the most important requirement is that someone with significant childcare experience will be running the program. Per OCC, this requirement could potentially be addressed if there is someone already on staff who has prior experience in child care and working with children. General information regarding child care exceptions, including the creation of emergency childcare facilities during the COVID-19 emergency, is at <https://oregonearlylearning.com/wp-content/uploads/2020/03/Temp-Order-Memo-Final.pdf>. A copy of the current application for emergency childcare is here: <https://oregonearlylearning.com/wp-content/uploads/2020/03/Emergency-Child-Care-Facility-Application.Updated3.19.20.pdf>

The individual at OCC who is vetting the emergency requests is Dawn Taylor, the Director of Organizational Development. Her phone number is (503) 947-1418; her email is Dawn.Taylor@state.or.us. The general email address to submit the emergency childcare application to is OCC.CustomerService@state.or.us. OCC is working to create an expedited criminal background check process.

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OCC also has a website specifically addressing childcare for healthcare providers and first responders, which contains overall information regarding childcare options. This information is found at:

<https://oregonearlylearning.com/COVID-19-Resources/Emergency-Child-Care>.

Healthcare providers can receive customized referrals to emergency childcare by doing the following:

Call 211, listen to the prompt for childcare, and select that option

Text the keyword “children” or “ninos” to 898211

Email children@211info.org

Visit <https://orm.naccraware.net/orm/ormSearch>

Another option could be to affiliate with a community partner regarding providing childcare. Ms. Taylor advised that Salem Hospital is partnering with a Salvation Army Center that already had an existing childcare program; they are seeking to expand the capacity of the existing program. KinderCare is also prioritizing childcare for healthcare workers at locations in Portland, Clackamas, Eugene, Lake Oswego, and Tigard. The KinderCare information number is 866-337-3105.

Further, Portland area care providers can receive free childcare from medical/dentistry students at OHSU and nursing students at Portland State. These students are also providing other services to care providers, including running errands and going grocery shopping for healthcare providers. The phone number for this is 503-383-9776; another point of contact is via Twitter to @EmilyCALane. These services will be offered while classes are suspended; it appears that they are also working on continuing these services assuming that classes resume as currently scheduled on April 27.

Additionally, per Governor Brown’s Executive Order 20-08, dated March 17, 2020, in order for Oregon School Districts to continue to receive allocations from the State School Fund during their current closure period, they are required to provide for supplemental services, including “the provision of child care for first responders, emergency workers, health care professionals, . . . consistent with any guidance and requirements provided by the Oregon Department of Education.” It appears the implementation of this provision is still a work in progress.

It is also anticipated that Oregon’s childcare provisions will change again in light of Governor Brown’s Executive Order 20-12, effective date March 23, 2020.

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- a. Childcare must be carried out in maximum stable groups of 10 or fewer children (“stable” means the same 10 or fewer children are in the same group each day), and in a classroom that cannot be accessed by children outside the stable group; and
- b. Facilities must prioritize the childcare needs of first responders, emergency workers, health care professionals, followed by critical operations staff and essential personnel, consistent with guidance provided by the Oregon Department of Education, Early Learning Division.

Executive Order 20-12 goes on to provide that the governor delegates authority to the Oregon Department of Education, Early Learning Division, to set forth exceptions to the above two paragraphs if it becomes necessary to do so.