

86531.1 Issuance of a Provisional License

(a)

All crisis nursery license applicants who complete an application and meet regulatory and statutory requirements shall receive a provisional license for the first 12 months of operation. After eight months of operation, the Department shall conduct a comprehensive review of the crisis nursery for compliance with all applicable laws and regulations and shall assist the applicant to develop a plan of correction when necessary. (1) Before the first business day of the thirteenth month of operation, if the Department determines that the crisis nursery is in substantial compliance with licensing standards, the Department shall issue a permanent crisis nursery license, except as follows: (A) If the Department determines that the crisis nursery is in substantial compliance with licensing standards, the Department may extend the provisional license for up to an additional six months if the crisis nursery requires additional time to be in full compliance with licensing standards. 1. By no later than the first business day of the seventeenth month of operation, the Department shall conduct an additional review of a crisis nursery for which the provisional license is extended, to determine whether a permanent license should be issued.

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(b)

A crisis nursery licensee with a permanent license may apply for a provisional license under the following conditions: (1) A temporary change in location of not more than six months due to unforeseen circumstances beyond the control of the licensee (i.e. flood, earthquake, etc). (A) The Department shall have the authority to authorize a temporary facility change following a Department review, a finding

of substantial compliance with licensing standards, and the securing of an appropriate fire clearance.

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(c)

If, during the provisional license period, the Department discovers any serious deficiencies, the Department shall have the authority to institute administrative action or civil proceedings, or refer the case for criminal prosecution. The Department may deny a crisis nursery license application at any time during the term of the provisional license to protect the health and safety of children.

(d)

If the Department denies the application, the crisis nursery shall cease operation immediately. Continued operation of the crisis nursery after the Department denies the application or after the provisional license expires shall constitute unlicensed operation.

(e)

A provisional license shall not be renewable and shall terminate on the date specified on the license or upon denial of the application, whichever is earlier.