

**441—120.7 (237A) Provider requirements.**

**120.7(1) Provider.** The provider shall:

- a.* Give careful supervision at all times.
- b.* Exchange information with the parent of each child frequently to enhance the quality of care.
- c.* Give consistent, dependable care and be capable of handling emergencies.
- d.* Be present at all times except when emergencies occur or an absence is planned, at which time care shall be provided by a department-approved substitute. When an absence is planned, the provider shall give parents at least 24 hours' prior notice.
- e.* Be free of the use of illegal drugs and shall not be under the influence of alcohol or of any prescription or nonprescription drug that could impair the provider's ability to give careful supervision.
- f.* Be at least 18 years of age.

**120.7(2) Substitutes.** The provider shall assume responsibility for providing adequate and appropriate supervision at all times when children are in attendance. Any designated substitute shall have the same responsibility for providing adequate and appropriate supervision. Ultimate responsibility for supervision shall be with the provider.

- a.* All standards in this chapter regarding supervision and care of children shall apply to substitutes.
- b.* Except in emergency situations, the provider shall inform parents in advance of the planned use of a substitute.
- c.* The substitute must be 18 years of age or older.
- d.* Use of a substitute shall be limited to:
  - (1) No more than 25 hours per month.
  - (2) An additional period of up to two weeks in a 12-month period.
- e.* The provider shall maintain a written record of the number of hours care is provided by a substitute, including the date of the care and the name of the substitute.