


OCFP Office of Child and Family Policy	Policy Interpretation	
	Index No: 2012.01	Issuance Date: July 9, 2012
	Origin of Request: Central Office of Licensing	
	Distribution: Department and POS Staff	
	Key Words: 89 IAC 407, Licensing Standards for Day Care Centers.	
Approved by: 		

Question: May licensed day care centers employ certain clinical techniques, such as the “mummy wrap,” basket hold, and “hot dog roll” or are these techniques prohibited licensing standards?

Applicable To: Department and POS staff

Policy Citations:

Section 407.45 Definitions

"Corporal punishment" means hitting, spanking, swatting, beating, shaking, pinching, excessive exercise, exposure to extreme temperatures, and other measures that produce physical pain.

Section 407.250 Enrollment and Discharge Procedure

- a) The center shall not use eligibility criteria that screen out children with disabilities, and shall make reasonable modifications in policies, practices and procedures to accommodate children with disabilities.

Section 407.270 Guidance and Discipline

- c) Child care staff shall help individual children develop self-control and assume responsibility for their own actions.
- 6) The following behaviors are prohibited in all child care settings:
 - A) Corporal punishment, including hitting, spanking, swatting, beating, shaking, pinching and other measures intended to induce physical pain or fear;
 - D) Any form of public or private humiliation, including threats of physical punishment; and



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- E) Any form of emotional abuse, including shaming, rejecting, terrorizing, or isolating a child.
- g) Clinical behavior management plans may be developed to meet the needs of a particular child if developed with the parent and a professional clinician. This must be documented in the child’s file. All staff working with the child shall receive training on implementing the plan.

Section 407.310 Health Requirements for Children

- k) When a child's medical needs require special care or accommodation, the care shall be administered as required by a physician, subject to receipt of appropriate releases from the parent or parents. Medical consultation shall be available to the staff as needed for the health and medical needs of the children served.

Discussion:

Day care licensing standards are silent on the use of “mummy wraps,” basket holds, “hot dog rolls,” or other restraints on children in a day care setting. However, the National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care from the American Academy of Pediatrics, from which many of the Department’s licensing standards derive, states:

It should never be necessary to physically restrain a typically developing child unless his/her safety and/or that of others are at risk. When a child with special behavioral or mental health issues is enrolled who may ... need the cautious use of restraint in the event of behavior that endangers his/her safety or the safety of others, a behavioral care plan should be developed with input from the child’s primary care provider, mental health provider, parents/guardians, center director/family child care home caregiver/teacher, child care health consultant, and possibly early childhood mental health consultant in order to address underlying issues and reduce the need for physical restraint.

That behavioral care plan should include: a) An indication and documentation of the use of other behavioral strategies before the use of restraint and a precise definition of when the child could be restrained; b) That the restraint be limited to holding the child as gently as possible to accomplish the restraint; c) That such child restraint techniques do not violate the state’s mental health code; d) That the amount of time the child is physically restrained should be the minimum necessary to control the situation and be age-appropriate; reevaluation and change of strategy should be used every few minutes; e) That no bonds, ties, blankets, straps, car seats,

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heavy weights (such as adult body sitting on child), or abusive words should be used; f) That a designated and trained staff person, who should be on the premises whenever this specific child is present, would be the only person to carry out the restraint.

Response:

Licensed day care centers may employ certain clinical techniques, such as the “mummy wrap,” basket hold, and “hot dog roll” when a child’s behavior has been assessed by a professional who has determined that s/he would benefit from a behavior management plan. The plan shall be developed by a qualified clinician, i.e. a person with a valid credential/license: psychologist, licensed clinical social worker, and so forth. The parents/guardians, director, and staff at the facility who will implement the plan with the child should be involved in the development of the plan. The behavior management plan shall be in writing and shall be a part of the child’s confidential file.

Any method to control the behavior of a child (including the use of a “hot dog roll,” basket hold, “mummy wrap,” or “kid burrito”) is to be determined for each particular child on an individual basis between licensed day care center, the parents/guardians, and the professional clinician; a facility cannot be granted a blanket permission or waiver for all children in the facility.

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