

## NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

### NOTICE OF SUBSTANTIVE POLICY STATEMENT

#### DEPARTMENT OF HEALTH SERVICES

[M05-163]

**1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**

SP-029-DLS-CCL: Clarification of Whether a Child Care Facility May Require a Release of Liability as a Condition of Enrollment or for Participation in an Activity, Including a Field Trip

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

Issuance and effective date: July 15, 2005

**3. Summary of the contents of the substantive policy statement:**

The substantive policy statement notifies the public that the Department interprets the requirements in R9-5-308 as prohibiting a child care facility from requiring a parent to sign a release of liability as a condition of initial or continued enrollment, or for participation in an activity such as a field trip.

**4. A statement as to whether the substantive policy statement is a new statement or a revision:**

This is a new substantive policy statement.

**5. The name and address of the person to whom questions and comments about the substantive policy statement may be directed:**

Name: Lourdes Ochoa, Program Manager  
Address: Arizona Department of Health Services  
Division of Licensing Services  
Office of Child Care Licensing  
150 N. 18th Ave., Suite 400  
Phoenix, AZ 85007

Telephone: (602) 364-2539

Fax: (602) 364-4768

E-mail: ochoal@azdhs.gov

or

Name: Kathleen Phillips, Rules Administrator  
Address: Arizona Department of Health Services  
Office of Administrative Rules  
1740 W. Adams, Suite 202  
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

**6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

A copy of the substantive policy statement may be obtained from the Arizona Department of Health Services web site by selecting the appropriate link under "Division of Licensing Services" at [http://www.azdhs.gov/diro/admin\\_rules/substantive.htm](http://www.azdhs.gov/diro/admin_rules/substantive.htm) or from the Arizona Department of Health Services, Office of Child Care Licensing, 150 N. 18th

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Ave., Suite 400, Phoenix, AZ 85007. The Department charges 25¢ per page for copying. Payment may be made with cash or by check or money order made payable to the Arizona Department of Health Services.

**NOTICE OF SUBSTANTIVE POLICY STATEMENT**

**DEPARTMENT OF HEALTH SERVICES**

[M05-162]

**1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**

SP-030-DLS-CCL: Clarification of Whether a Child Care Group Home May Require a Release of Liability as a Condition of Enrollment or for Participation in an Activity, Including a Field Trip

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

Issuance and effective date: July 15, 2005

**3. Summary of the contents of the substantive policy statement:**

The substantive policy statement notifies the public that the Department interprets the requirements in R9-3-309(A) as prohibiting a child care group home from requiring a parent to sign a release of liability as a condition of initial or continued enrollment, or for participation in an activity such as a field trip.

**4. A statement as to whether the substantive policy statement is a new statement or a revision:**

This is a new substantive policy statement.

**5. The name and address of the person to whom questions and comments about the substantive policy statement may be directed:**

Name: Lourdes Ochoa, Program Manager  
Address: Arizona Department of Health Services  
Division of Licensing Services  
Office of Child Care Licensing  
150 N. 18th Ave., Suite 400  
Phoenix, AZ 85007  
Telephone: (602) 364-2539  
Fax: (602) 364-4768  
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Name: Kathleen Phillips, Rules Administrator  
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