

STRONG LICENSING: NARA's CALL TO ACTION

Pauline D. Koch – NACCRRRA Policy Symposium
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Overview:

- **The Call to Action**
 - **Characteristics of Strong Licensing Programs**
 - **Recommendations**
- **We Can Do Better - How to Motivate States to Strengthen their Licensing Programs**
- **Benchmarks and Beyond**



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Strong Licensing: Foundation for A Quality ECE System

- **NARA's Research and Policy Analysis**
- **Current Assumptions and Licensing Weaknesses and Gaps**
- **Strengthened Licensing Programs: The Path Forward**

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What is Licensing?

- **Consumer Protection through Prevention**
- **Risk Reduction from the following:**
 - Injury
 - Unsafe buildings and fire
 - Spread of Disease
 - Developmental Impairment or Cumulative Risks
- **Equal Protection**
- **No exemptions**

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Phases of Licensing

- **Development of the Licensing Statute**
- **Development of Licensing Rules**
- **Application of the Law and Rules**
- **Enforcement of the Law and Rules**

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Characteristics of a Strong Licensing Program

- **The Licensing Statute**
 - **No exemptions**
 - **Comprehensive**
 - **Supported**
- **The Licensing Rules**
 - **Research based, responsive to risks**
 - **Enforceable/measurable**
 - **Lead to and encourage best practice**
 - **3-4 year review schedule**
 - **Interpretive guidelines and sound policy and procedures**

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Strong Licensing (continued)

- **The Licensing Agency**
 - Adequate funding and administrative support
 - Qualified, well trained licensing staff and support personnel; ongoing regulatory training
 - Staffing to support 2 inspections per year, increasing to 4 or more as needed; workload of 50-60 facilities
 - Effective management to ensure an effective, efficient system and continuous, quality improvement

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Strong Licensing (continued)

- **The Licensing Agency**
 - Progressive enforcement system with direct legal counsel to protect the rights of licensees and consumers
 - Effective provider support services with compliance-related technical assistance and workforce development
 - Posting of licensing and complaint inspection reports on the Internet
- **Close collaboration with all parts of the system to ensure children grow and develop to their fullest potential in a nurturing environment**

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NARA's Recommendations

- **Federal Agencies:**
 - Adopt common funding guidelines for state regulatory agencies
 - Fund development of model statutes, regulations and related policies
 - Allocate specific funding for states for licensing improvement



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NARA's Recommendations (continued)

- Convene NARA and others to help draft funding requirements and methods to evaluation performance
- Request states establish consistent licensing laws and rules for all settings
- Request states to adjust their QRIS criteria, incentives and support services as licensing improves



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Motivating States to Do Better

- **We Can Do Better 2011 Benchmarks**
 - Effective Change Agents
- **How to Motivate States to Strengthen Licensing Regulations (rules) and Oversight**
 - Strong federal licensing requirements and performance standards in state CCDF plans – incentives for meeting standards
 - Work together to teach and reinforce best practices in licensing
 - Provide model statutes, rules, policies and practices
 - Strong technical assistance and consultation to states; comprehensive regulatory training
 - Support state self-assessments and action planning using *NARA Recommended Best Practices for Human Care Regulatory Agencies*



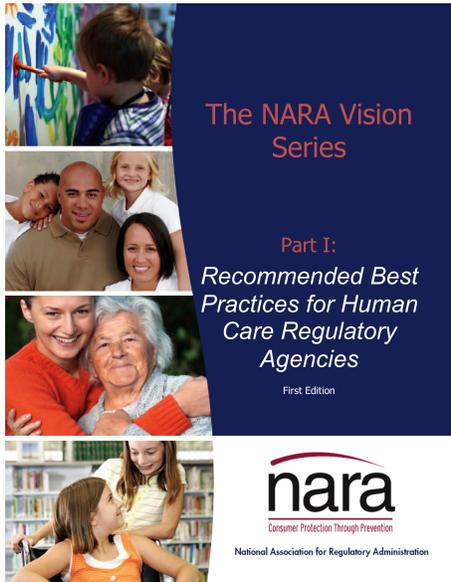
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Benchmarks and Beyond

- **Findings validate the benchmarks as useful to effect change**
- **How to Improve their Effectiveness**
 - Clear, consistent, measurable language
 - Clear interpretive guidelines on the intent and the criteria for compliance and assessment
 - More emphasis on a positive approach with states
 - Other thoughts
 - Keep in mind that the goal is to support effective licensing programs across all best practice standards



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The NARA Vision Series

Part I:
Recommended Best Practices for Human Care Regulatory Agencies

First Edition

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Consumer Protection Through Prevention
National Association for Regulatory Administration

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