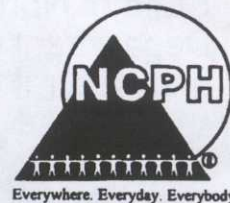




# NEW HANOVER COUNTY

## HEALTH DEPARTMENT ENVIRONMENTAL HEALTH

2029 SOUTH 17<sup>TH</sup> STREET  
WILMINGTON, NC 28401-4946  
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DAVID E. RICE, M.P.H., M.A.  
Health Director

LYNDA F. SMITH, M.P.A.  
Assistant Health Director

March 27, 1998

Regional Environmental Health Specialists  
Children's Environmental Health Branch

Dear Regional Environmental Health Specialists,

I am providing you with a copy of the Rules Governing the Sanitation of Child Day Care Facilities Effective July 1, 1991, and Amended Effective January 1, 1992, Section .2819 **Diapering and Diaper Changing Facilities** (d) states that "Each diaper changing area in facilities licensed for 13 or more children shall include a handwash lavatory for care givers. For a facility licensed for less than 13 children, a handwash lavatory shall be **conveniently** located to diaper changing areas". The Amended Rules Effective March 1, 1995, has only changed the word conveniently to **in or near in the last sentence.** The most recent rule changes, February 6, 1998, addresses this paragraph as **"Each diaper changing area in a child care center shall include a separate handwashing lavatory for care givers, except for a center licensed for fewer than 13 children and located in a residence. Centers licensed for fewer than 13 children and located in a residence a separate handwash lavatory shall be in or near diaper changing areas"**. Nothing in these above rules tells you where the hand sinks should be located.

I attended a video conference addressing the rule changes for the child care centers. I was very surprised to hear that the above rules were not going to have some provision for centers that were permitted before an agreeable date to be Grandfathered. This rule change and interpretation will have a very heavy economical impact on centers that are very old and unable to change and meet the current plumbing codes.

Please call me at 910-343-6666, if you have any questions.

Sincerely,

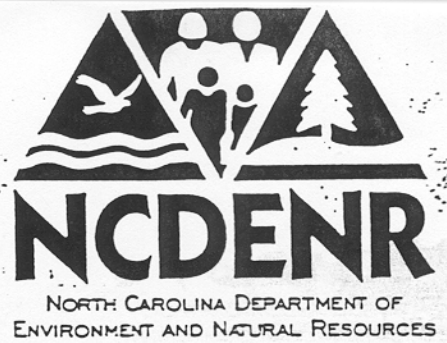
Thomas J. Stich, R.S.

Environmental Health Supervisor

diaper.tjs

State of North Carolina  
Department of Environment  
and Natural Resources  
Division of Environmental Health

James B. Hunt, Jr., Governor  
Wayne McDevitt, Secretary  
Linda C. Sewall, Director



May 15, 1998

MEMORANDUM

TO: Tom Stich, R.S.  
Environmental Health Supervisor  
New Hanover County Health Department

THROUGH: Ed Norman, Program Supervisor  
Children's Environmental Health Branch

FROM: Wayne Jones, R.S. *WJ*  
Regional Environmental Health Specialist

SUBJECT: Handwash Lavatories And Diaper Changing Areas In Child Care Centers

This response is in regards to your March 27, 1998 letter concerning handwash lavatories in diaper changing areas. .2819 (d) of the Rules Governing The Sanitation Of Child Day Care Facilities and recent temporary rule amendments 15A NCAC 18A requires a handwash lavatory in each diaper changing area for centers licensed for 13 or more children. In centers licensed for fewer than 13 children and located in a residence, the handwash lavatory must be in or near the diaper changing area.

The term "area" is a key word in both situations. A center with 13 or more children must have a handwash lavatory in the diaper changing area. If a child is diapered in a classroom and the handwash lavatory is (around the corner) in the bathroom, this does not meet the intent of the rule. A situation where a restraining gate is between the point of diapering and the handwash lavatory would also be considered out of compliance. Centers licensed for fewer than 13 children and located in a residence can be dealt with more leniently as the rule allows for the handwash lavatory to be in or near the diaper changing area. Determinations on whether a handwash lavatory is located in the diaper changing area must be made on a case by case basis as layouts of child care centers vary from site to site.

None of the recent changes to .2819 (d) effect the location of the handwash lavatory in relation to the diaper changing area. Any situation that was in compliance before the change will remain in compliance. Likewise, any non-compliant situation would still be considered out of compliance. Therefore, "grandfathering" is not a issue.

Please contact me at (910) 296-2046 if you have any additional questions or concerns regarding this matter.