

PERFORMANCE AUDIT

Inspection and Complaint Activities for the Child Care Licensing Program

Department of Public Health and Human Services

OCTOBER 2011

11P-11

REPORT SUMMARY

The Department of Public Health and Human Services should strengthen management of inspection and complaint processes for the Child Care Licensing Program to assure the safety and security of children in child care facilities.

**Context**

The Child Care Licensing Program is responsible for protecting the health, safety, and well-being of children receiving child care in Montana. The program registers, licenses, and monitors the state’s child care facilities. As of April 2011, there were 1,188 registered or licensed child care facilities in the state.

Complaint response is also defined by individual program staff. We noted several complaints for child care facilities which alleged abuse or neglect, but there was no documentation regarding how the program and Child and Family Services Division (CFSD) coordinated and resolved the complaint.

**Child Care Facility Information**

As of April 2011

Facility Type	Registration or Licensure	Number of Children Allowed	Total Number of Facilities
Family	Registration	3 to 6	455
Group	Registration	7 to 12	480
Center	Licensure	13+	253

**Source: Compiled by the Legislative Audit Division from Department Records.**

We also determined management information could be improved related to consistently documenting program activities and increasing the reliability of program data. The department documents program activities in multiple locations. As a result, the department is unable to clearly demonstrate compliance with state law. For example, the department does not have data to determine if it is inspecting centers licensed annually on an annual basis, as required by state law. And for complaints, the department is unable to clearly demonstrate it investigates and resolves complaints in a timely manner to assure the safety and security of children in child care facilities.

Audit work examined the processes for conducting inspections and responding to complaints in child care facilities. Overall, we identified the need for more active guidance on the part of department management to direct the activities of the program. Inspection selection and prioritization, including following up on deficiencies identified in a prior inspection, is primarily left to the discretion of individual program staff. As a result, there are inconsistencies in the way the program chooses inspections for childcare facilities.

**Results**

Audit recommendations address the need for the department to strengthen the inspection and complaint processes for the program. Recommendations include:

- ◆ Establish a protocol for the selection and prioritization of inspection activities,

- ◆ Establish a policy for following up on deficiencies identified in child care facilities,
- ◆ Comply with administrative rules regarding required notifications for negative licensing actions,
- ◆ Establish a policy for the intake and response to complaints in child care facilities based on complaint type,
- ◆ Clarify the roles and responsibilities between the Child Care Licensing Program and Child and Family Services Division relative to complaints involving child care facilities, and
- ◆ Strengthen documentation controls for the activities of the child care licensing program.

Recommendation Concurrence	
Concur	6
Partially Concur	0
Do Not Concur	0
<b>Source: Agency audit response included in final report.</b>	

For a complete copy of the report (11P-11) or for further information, contact the Legislative Audit Division at 406-444-3122; e-mail to [lad@mt.gov](mailto:lad@mt.gov); or check the web site at <http://leg.mt.gov/audit>  
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