MISSISSIPPI STATE DEPARTMENT OF HEALTH

HOW TO GET A CHILD CARE LICENSE

October 2026

BEFORE YOU MAY OPEN A CHILD CARE FACILITY, YOU MUST HAVE A TEMPORARY LICENSE.

Please note that the licensing process may take **90 days or longer** to complete. In addition, you **may not** begin operation before you receive a temporary license.

DO YOU NEED A LICENSE?

A license is required if you care for six or more children less than thirteen years of age, for any part of the twenty-four-hour day, who are not related (children, grandchildren, great-grandchildren, brothers/sisters, nieces/nephews) to you. This includes day care centers, day nurseries, and any other facilities that fall within the scope of the above description. See exemptions to the licensing law listed below.

PLEASE REVIEW THE INFORMATION FOR OBTAINING A LICENSE AND OPERATING A CHILD CARE FACILITY BELOW.

Once you have reviewed the information, you may fill out an online application to begin the licensing process at https://www.msdhcc.webapps.ms.gov/newapplication/default.aspx. Once the application has been submitted, a Child Care Licensing Inspector will contact you regarding further actions to be completed.

If you have limited internet access, please explore public access options in your area, including, but not limited to, public libraries and city or county buildings. If you need clarification on how to respond to questions on the application, please contact Bureau of Child Care Licensure at childcare@msdh.ms.gov or by calling 601-364-2827.

To download a copy of the ***Regulations Governing the Licensure of Child Care Facilities*** or a copy of the ***Regulations Governing the Licensure of Child Care Facilities For 12 Or Fewer Children In The Operator's Home*** go to the MSDH website at msdh.ms.gov/childcare. In the "Licensure" or "Regulation" sections of the website under "Child Care & Youth Camps" or "Child Care Facilities" areas, you will find a list of documents concerning child care in Mississippi including the regulations.

143-Lefleurs Square • Post Office Box 1700 • Jackson, MS 39215-1700
Bureau of Health Facilities • Division of Professional Licensure • Bureau of Child Care Licensure
Criminal History Record Check Unit
601-364-1100 • Fax 601/364-5055 •

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EXEMPTIONS FROM LICENSURE:

Child Care facilities which operate for no more than two (2) days a week and whose primary purpose is to provide respite for the caregiver or temporary care during other scheduled or related activities.

Organized programs that operate for three (3) or less weeks per year include but not limited to vacation bible schools and scout day camps.

Any child residential home as defined in and in compliance with the provisions of Section 43-16-3 (b) et seq., Mississippi Code of 1972.

Any program in an elementary (including kindergarten) and/or secondary school system accredited by the Mississippi State Department of Education, the Southern Association of Colleges and Schools, The Mississippi Private School Association, the American Association of Christian Schools, the Association of Christian Schools International, or a school affiliated with Accelerated Christian Education, Inc. This includes accredited pre-K3 and pre-K4 Programs. Programs serving children less than three (3) years of age must be licensed.

Any Head Start program operating in conjunction with an elementary school system, whether it is public, private, or parochial, whose primary purpose is a structured school or school readiness program. This includes Head Start pre-K3 and pre-K4 programs. Head Start programs serving children less than three (3) years of age must be licensed.

Any family child care home defined in Mississippi Code Section 43-20-53 (a) et seq. To wit: An occupied residence in which shelter and personal care is regularly provided for five (5) or fewer children who are not related within the third degree computed according to the civil law to the provider and who are under 13 years of age and are provided care for any part of the twenty-four hour day. These homes may be voluntarily registered with the Mississippi State Department of Health.

Any membership organization affiliated with a national organization which charges only a nominal annual membership fee, does not receive monthly, weekly, or daily payments for services, and is certified by its national association as complying with the association's minimum standards and procedures, including, but not limited to, the Boys and Girls Club of America, and the YMCA. A nominal fee is defined as $600 or less per calendar year.

If you have questions regarding exemptions, contact the Bureau of Child Care Licensure a childcare@msdh.ms.gov or by calling 601-364-2827.

DO I QUALIFY FOR A LICENSE?

Before a temporary license can be issued, a facility must have a qualified director to operate it. To be deemed qualified, the director must:

1. Be at least twenty-one years of age,
2. Have a valid MSDH Immunization Form 121,
3. Pass all fingerprint, Child Abuse Central Registry, and Sex Offender checks,
4. Must have taken the mandatory trainings on the Regulations Governing Licensure of Child Care Facilities, Directors Orientation, and Playground Safety, and
5. Meet one of the following education and/or experience requirements:

A. A bachelor's degree in early childhood education, child development, elementary education, child care, special education, psychology (with emphasis on child psychology), or family and consumer sciences (with emphasis on child development), or equivalent degree from another child-related field or course of study.

OR

B. A two-year associate degree from an accredited community or junior college in child development technology which must include a minimum of 480 hours of practical training, supervised by college instructors, in a college operated child care learning laboratory.

OR

C. A two-year associate degree from an accredited community or junior college in child development technology or child care and two years paid experience in a licensed child care facility.

OR

D. Two years paid experience as a caregiver in a licensed child care facility, and either (1) a current Child Development Associate (CDA) credential from the Council for Early Childhood Professional Recognition (CECPR), or (2) a Mississippi Department of Human Services (MDHS) Division of Early Childhood Care and Development (DECCD) Child Care Director's Credential or MDHS OCY Child Care Director's Credential, or (3) 24 semester hours credit with a grade of "C" or better from an accredited college or university in courses specific to early childhood.

OR

E. A verified certificate from the licensing agency certifying that the individual was qualified to be the director of a licensed child care facility prior to January 1, 2000 in the State of Mississippi.

If you do not meet all of the above requirements, you must hire a **qualified** director to operate your facility.

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WHAT SHOULD YOU LOOK FOR IN A PROSPECTIVE FACILITY (BUILDING AND PLAYGROUND)?

The following items must be evaluated:

1. Zoning approval

2. Proposed facility must meet all fire safety standards listed on MSDH Form #333, Uniform Fire Safety Survey and any additional local fire codes.

3. Wastewater disposal and potable (drinking) water approval is required if the proposed facility is on an individual wastewater disposal system and/or well.

4. Playground area (at least 75 square feet per child in a fenced in playground) must be well drained and free of hazardous or potentially hazardous conditions. All playgrounds must be tested for lead. See attached information on lead testing.

5. Building: If the building was constructed before 1978, it must be tested for lead. See attached information on lead testing.

    A. Ground floor space.

    B. Two remote exits that must open outward and cannot be through the kitchen.

    C. Forty square feet per child in infant areas (less than 12 months of age). Forty-five square feet per child (12 months but less than 24 months). Thirty-five square feet per child for all others.
    Kitchen space, bathrooms, hallways, closets, etc. do not count as usable floor space.

    D. One toilet and one lavatory for every fifteen children or portion thereof, not counting diaper changing lavatories. All lavatories must have hot and cold running water.

    E. All rooms occupied by diaper wearing children must have a diaper changing area, <u>in the room</u> that includes a lavatory with hot and cold running water.

    F. Kitchen requirements:
        1. Minimum required size of 90 square feet, maximum required size of 300 square feet.
        2. A hand-washing lavatory.
        3. A three-compartment sink or commercial dishwasher. (Certain exemptions exist for centers serving 12 or fewer children in the operator's home.)

If you are planning to build a new facility or renovate an existing building, it is required that you have your blueprints/plans reviewed by your licensing official before construction. This will save you time and money. These are only a few of the basic requirements. Inspections by your local health department and fire department are required on all potential child care facilities. Some localities may also require an inspection by the city building inspector and/or a business/privilege license before starting operation (the applicant should check on this requirement).

CHECK LIST FOR OBTAINING A CHILD CARE FACILITY LICENSE

Before you may begin operation of a child care facility, you must have a temporary license. Complete the following steps to get a **TEMPORARY LICENSE:**

1. To begin the licensing process, please fill out an online application at: https://www.msdhcc.webapps.ms.gov/newapplication/default.aspx . Once the application has been submitted, a Child Care Licensing Inspector will contact you regarding further actions to be completed.

2. Review and study the ***Regulations Governing the Licensure of Child Care Facilities*** or a the ***Regulations Governing the licensure of Child Care Facilities For 12 Or Fewer Children In The Operator's Home*** (whichever is appropriate for your situation). Make notes about anything in the regulations that you would like explained.

   To download a copy of the ***Regulations Governing the licensure of Child Care Facilities*** or a copy of the ***Regulations Governing the licensure of Child Care Facilities For 12 Or Fewer Children In The Operator's Home*** go to the MSDH website at msdh.ms.gov/childcare. In the "Licensure" or "Regulation" sections of the website under "Child Care & Youth Camps" or "Child Care Facilities" areas, you will find a list of documents concerning child care in Mississippi including the regulations. The licensing official can answer any questions you may have about the licensing process or the regulations.

4. Before a Temporary License is issued and the facility allowed to begin operation the following items must be submitted to and/or verified by the licensing authority, i.e., Mississippi State Department of Health:

   a. License Application and $130.00 application fee.

   b. License fee - the amount of fee is determined by the licensed capacity of the facility.

   c. Documentation that the facility has a qualified director for the child care program that meets the standards set forth in Rule 1.5.3.

   d. "Letter of Suitability for Employment" for every employee or volunteer as appropriate that is to begin work when the facility starts operation. The "Letter of Suitability for Employment" issued by the Mississippi State Department of Health verifies that a criminal records check, sex offender registry, and child abuse central registry check has been conducted on an individual.

   e. An MSDH Immunization Form #121 for every employee or volunteer that is to begin work when the facility starts operation and/or have documentation indicating that they comply with the immunization requirements of the Mississippi State Department of Health.

   f. Valid MSDH Fire Inspection Form #333.

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g. Verification of passing an American National Standards Institute - Conference for Food Protection (ANSI-CFP) Accredited food manager training. Currently the following providers are authorized by the MSDH to provide the required training:

   i. National Restaurant Association, Inc., i.e., ServSafe®,

   ii. Environmental Health Testing, Inc., i.e., National Registry of Food Safety Professionals,

   iii. Prometric, Inc., or

   iv. Mississippi State University Extension Service, i.e., TummySafe©.

   NOTE: For information on ServSafe® or TummySafe© contact the Mississippi State University Extension Service at www.msucares.com. In addition, the Mississippi Restaurant Association (MRA) also provides ServSafe® training. The MRA can be contacted at www.msra.org. For information on the National Registry of Food Safety Professionals or Prometric, contact the MSDH Office of Environmental Heath at 601.364.5780.

h. Wastewater disposal approval.

i. Potable water source approval - drinking water.

j. Zoning approval.

k. Lead Testing approval.

   i. Building - if constructed before 1978.

   ii. Playground.

l. Adult, Child and Infant CPR and First Aid certification as required for a person or persons who will be present at the facility during all hours of operation.

m. Menu if applicable.

n. Floor Plan.

o. MSDH Maximum Capacity Worksheet (Form #28).

p. MSDH Child Care Facility Inspection Report (Form #281).

q. MSDH Child Care Facility Data Sheet (Form #286).

r. MSDH Food Service Inspection (Form #301-302) - if applicable.

s. Daily Schedule of Activities - developed by provider.

t. Arrival and Departure Procedures - developed by provider.

u. Emergency Policy - developed by provider.

v. Verification of Two Emergency Relocation Sites - developed by provider.

   i. One site must be a minimum of one mile distant from the facility.

   ii. One site must be a minimum of five miles distant from the facility.

w. Transportation Policy - not required if facility does not transport children.

NOTE: An emergency transportation policy is required even if the facility does not plan to transport children. An emergency transportation policy shall encompass such events as emergency evacuation of the facility and emergency transporting of a child to receive medical attention.

x. Proof of Vehicle Insurance - not required if facility does not transport children.

y. Verification, in writing, that the operator has or does not have accident/liability insurance covering the business.

z. Verification that the owner/operator and director have completed mandatory training on:

   i. Regulations Governing Licensure of Child Care Facilities.

   ii. Directors Orientation.

   iii. Playground Safety.

NOTE: Training classes provided by the Bureau of Child Care Licensure are listed under the heading "LIFT-ED Training Calendar and Courses." Other approved providers of training for child care facility operators and staff are listed under the headings "MSDH - Approved Child Care Courses" and "Training Organizations with Standing Approval." Only the Bureau of Childcare Licensure staff are allowed to conduct mandatory trainings except for the Health and Safety training which is also offered by MS Department of Human Services. Other approved providers of training for child care facility operators and staff are listed under the headings "MSDH Approved Staff Development Trainers" and "Approved Child Care Staff Development Providers."

aa. Discipline Policy - developed by the provider.

NOTE: The discipline policy developed by the provider shall not allow any of the prohibited behaviors listed in Subchapter 14 of these regulations.

bb. Emergency Policy – Emergency preparedness and response planning for emergencies resulting from a natural disaster, or a man-caused event (such as violence at a child care facility), within the meaning of those terms under section 602(a)(1) of the Robert T. Stafford Disaster Relief and emergency Assistance Act (42 U.S.C. 5195a(a)(1)) that shall include procedures for evacuation, relocation, shelter-in-place and lock down, staff and volunteer emergency preparedness training and practice drills, communication and reunification with families,

continuity of operations, and accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions.

Additional policies required:

1. Dismissal Policy
2. Maximum Hours Per Day or Week (that a child can be left at the facility) Policy
    a. Hours are determined at the provider's discretion
3. Child Abuse & Neglect Mandated Reporting Policy
4. Shaken Baby Syndrome and Abusive Head Trauma Policy

After all necessary forms have been received, reviewed, and approved; a **TEMPORARY** license will be issued. Only when you have received the temporary license **from the Bureau of Child Care Licensure** may you begin operation of your facility.

The temporary license is valid for a period not to exceed six months and must be upgraded to a **REGULAR LICENSE** during that time.
At the time you receive your temporary license, you will be notified regarding additional items required to upgrade to a regular license. Your licensing official will be pleased to discuss the items and assist you as needed.

REMEMBER, A CHILD CARE FACILITY CANNOT BEGIN OPERATION UNTIL A LICENSE IS APPROVED AND ISSUED BY THE MISSISSIPPI STATE DEPARTMENT OF HEALTH.

BE SURE TO MAKE AND KEEP COPIES OF ALL INSPECTION FORMS AND MATERIAL YOU SUBMIT. IF MATERIAL IS LOST AND YOU DO NOT HAVE A COPY, THE INSPECTIONS WILL HAVE TO BE CONDUCTED AGAIN.

Remember: **THE LICENSING PROCESS MAY TAKE 90 DAYS OR LONGER TO COMPLETE**

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CHILD CARE FACILITY LEAD TESTING

If your building was built before 1978 you will be required to obtain a Lead-Based Paint (LBP) Risk Assessment before you can be licensed. The Mississippi Department of Environmental Quality (MDEQ) is responsible for the certification of individuals to conduct the LBP risk assessment and LBP inspections. A current list of certificates individuals can be found o the MDEQ website at: https://www.mdeq.ms.gov/air/lead-based-paint/
This is the home page of the MDEQ LBP program. By following the link, you will be sent to a webpage titled “enSearch Online”, this is here you can find the list of certified LBP risk assessors.

Just below the title "Mississippi Lead-Based Paint Certifications" is a box that lists the certification type and location, the arrow to the right of the listed certification type (Lead Inspector) will drop down a list of certification types, select "Risk Assessor". The location also has a menu that drops down allowing you to choose "instate" or "out of state". Submit your selections by clicking on the "submit" button and the list will be generated. Review both location options as there are several individuals that live outside of Mississippi that frequently perform risk assessments in Mississippi.

Before you contact a risk assessor, determine the date of construction for the building and the dates of any additions. The date of construction can be obtained from the county tax assessors office. It is the date the building was added to the tax rolls. You should also be prepared to describe the prior uses of the building (e.g. home, school building, etc.) to the risk assessor when they arrive. Keep in mind, that even if the building was "gutted" and renovated, the documentation that "all the original painted materials were removed" usually does not exist and therefore all the painted materials may need to be tested to document that they are lead free.

When you contact a listed risk assessor, explain that you need a risk assessment of your building to be licensed as a child care facility. The testing that you need done is "a risk assessment of the interior rooms where children are going to frequent and the exterior of the building". They will also need to collect dust wipes and, if needed, soil samples. Contact more than one individual as they do not all charge the same amount. You may want a Lead Inspection with Risk Assessment conducted to provide you with a list of lead painted materials for future reference.

If completed as described, the report provided by the risk assessor should fulfill the requirements of the CCLD Regulations. If you have any questions, you can contact Dennis Kelly at MDEQ for additional information or guidance at 601-961-5171 or 877-671-7139.

Playground Lead Testing

A test for lead in the **playground soil** is required once for all facilities.

- Collect small samples from 3 or 4 locations around the playground with a clean plastic spoon and combine them in a ***plastic*** bucket. (Metal buckets can affect the results.) **NOTE:** Remove any paint chips that are in sample you collected.

- Mix samples thoroughly in the bucket.

- Place approximately one (1) pint of soil in a plastic bag. (Ziploc)

- **If your building was constructed before 1978,** it is **recommended** that a composite soil sample (not more than five (5) samples) also be collected from the roof drip line, especially in areas where people walk. Before taking these samples, **remove** any old paint chips present. (Remove paint chips from your sample before submitting to your lab of choice.)

Mississippi State Chemical Laboratory (MSCL)

Website: www.mscl.msstate.edu Phone Number: 662-325-3428 Fax Number: 662-325-7807
Please ship soil sample and the MSCL Sample Submission Form, along with return name, address, and telephone number to:

Mississippi State Chemical Laboratory PO
Box CR
Mississippi State, MS 39762

Please contact the MSCL if you have any questions.

EHS/BTS Laboratories

Web site is www.btslabs.com Phone number is 1-800-347-4010. Fax number is 804-275-4907. Open 8-5 Eastern Time.

BTS Laboratories
7467 Whitepine
Road
Richmond, VA 23237

Please contact the company to obtain instructions.