



Memo to: Maine Summer Camps members. October 29, 2012

RE: **New Dept. of Health and Human Services (DHHS Chapter 201) rules affecting camps**

The new amendments to Chapter 201 "Administrative Rules" are now in effect. The amendments provide ways for camps to get a waiver of a part of the camp inspection process. The full rules can be viewed at this link: <http://www.maine.gov/dhhs/mecdc/environmental-health/el/rules.htm> (Chapter 201)

Here is some background to help you understand the new rules. Camps are licensed by the DHHS and are required to renew their license annually. Camps may lose their license if they do not comply with DHHS rules. Licensed camps are inspected by the DHHS to determine compliance with one or more of three rules; Chapter 208, general camp rules; Chapter 200, Food Code, if the camp serves meals; and Chapter 202 if the camp has a swimming pool or spa. By law, these inspections must occur at least once every two years.

You may recall that your governmental relations association, the Maine Youth Camp Association (MYCA) has been working with DHHS to develop alternatives to camp inspection. These new rules provide an alternative to inspection under the Chapter 208 general camp rules. No waiver can be obtained to inspection under Chapter 200 (Food Code) or Chapter 202 (pool/spa) rules.

For how to obtain a waiver, refer to the copy of the new "**Youth Camp Inspection Waiver Application**" that comes with this Memo along with the information below:

The DHHS will send this form to all camps on February 1<sup>st</sup> as a part of the annual license renewal process. To apply for a waiver, a camp must fill it out and return the form to DHHS on or before March 1<sup>st</sup>.

First, to be eligible for consideration by DHHS for a waiver, the camp, during the last year, must not have: (1) been extensively renovated or expanded as defined in Chapter 208; (2) changed ownership, and (3) changed the camp director. If your camp meets all these requirements, check the first three boxes on the form.

Next, to **obtain a waiver** the camp must qualify under **one** of three methods as follows:

1. The camp must have a current American Camp Association (ACA) accreditation.
2. The camp must be accredited by another Nationally Recognized Accreditation Organization that DHHS has accepted as at least as protective of the public health as the inspection process. You must make arrangements in advance with DHHS for their determination of "at least as protective".
3. The camp must have received at least two passing inspections and certify that during the period of licensure it will be in substantial compliance with the Chapter 208 rules.

If one of these three methods applies to your camp, check the appropriate box, sign and return the form by March 1<sup>st</sup>. DHHS will notify you by May 15<sup>th</sup> whether it will grant you a waiver. It does not have to do so even if your camp meets all the qualifications.

**What is the benefit of getting a waiver?** The waiver exempts your camp from inspection of your camp program activities, but not from a Kitchen/Food Service inspection or a pool inspection. Your food service and pool may still be inspected every 2 years. In 2007, the expansion of the inspection to all program activities added hours to camp inspections. Securing a waiver should reduce the inspection time greatly since the inspection will be limited to Kitchen/Food Service and pool. A waiver is for one year but you may apply annually for one.

Finally, DHHS may inspect a camp even if it is granted a waiver in order to investigate a licensing complaint or upon reasonable cause that a condition exists at the youth camp which is not protective of public health.