

**OCFS Division of Child Care Services**  
**Regulations for Legally Exempt, Licensed or Registered Child Care Programs**

Parts 414, 415, 416, and 417 and Subparts 418-1 and 418-2 of Title 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR) are hereby amended to read as follow

Subparagraph (iii) of paragraph (1) of subdivision (a) of section 414.15 is added to read as follows:

(iii) Each school age child care program must operate in compliance with all emergency health guidance promulgated by the Department of Health in the interest of public health during a designated public health emergency. Provided that, during a designated public health emergency, any relevant emergency directives from the executive chamber or from the Department of Health shall supersede regulations of the Office in the case of any conflict.

Subparagraph (i) of paragraph (1) of subdivision (a) of section 415.12 is added to read as follows:

(i) An eligible provider must operate in compliance with all emergency health guidance promulgated by the Department of Health in the interest of public health during a designated public health emergency. Provided that, during a designated public health emergency, any relevant emergency directives from the executive chamber or from the Department of Health shall supersede regulations of the Office in the case of any conflict.

Subparagraph (iii) of paragraph (1) of subdivision (a) of section 416.15 is added to read as follows:

(iii) Each group family day care home must operate in compliance with all emergency health guidance promulgated by the Department of Health in the interest of public health during a designated public health emergency. Provided that, during a designated public health emergency, any relevant emergency directives from the executive chamber or from the Department of Health shall supersede regulations of the Office in the case of any conflict.

Subparagraph (iii) of paragraph (1) of subdivision (a) of section 417.15 is added to read as follows:

(iii) Each family day care home must operate in compliance with all emergency health guidance promulgated by the Department of Health in the interest of public health during a designated public health emergency. Provided that, during a designated public health emergency, any relevant emergency directives from the executive chamber or from the Department of Health shall supersede regulations of the Office in the case of any conflict.

Subparagraph (iii) of paragraph (1) of subdivision (a) of section 418-1.15 is added to read as follows:

(iii) Each child day care center must operate in compliance with all emergency health guidance promulgated by the Department of Health in the interest of public health during a designated public health emergency. Provided that, during a designated public health emergency, any relevant emergency directives from the executive chamber or from the Department of Health shall supersede regulations of the Office in the case of any conflict.

Subparagraph (iii) of paragraph (1) of subdivision (a) of section 418-2.15 is added to read as follows:

(iii) Each small day care center must operate in compliance with all emergency health guidance promulgated by the Department of Health in the interest of public health during a designated public health emergency. Provided that, during a designated public health emergency, any relevant emergency directives from the executive chamber or from the Department of Health shall supersede regulations of the Office in the case of any conflict.