Expedited Processes for Expanding Licensed School-Age Capacity in Group & School-Age Programs

Background

On August 28, 2020, Governor Baker issued COVID-19 Executive Order No. 49, which provides three paths for communities to support expanded access to child care and supervision in response to the increased need from families with children enrolled in hybrid or remote learning.

The Executive Order makes possible the expansion of programs licensed by the Department of Early Education and Care (EEC) to serve school-aged children during remote learning hours. Therefore, effective August 28, 2020 and for the duration of the COVID-19 Executive Order No. 49, all Licensed Family Child Care and Group & School-Age Programs that are currently licensed to serve school age children are *automatically* approved to serve school-age children (within their current licensed capacity) during virtual learning hours, as well as to continue programming during before- and after-school hours.

For many families, this option has many benefits, including that programs are already expert in serving children in this age group, are already subject to the oversight of a state authority, and in large part have been operating under strict health and safety guidelines to great effect since summer. This option also presents benefits to programs that can now immediately accommodate the needs of the children and families they serve without any additional requirements or delays.

However, EEC recognizes that more needs to be done to ensure the preservation of and access to licensed, high-quality child care options. To that end, EEC is pleased to offer the following newly designed and expedited processes for licensed child care programs and new providers.

New Expedited Processes for Existing and New EEC Licensed Programs

In accordance with Massachusetts General Laws Chapter 15D, EEC is responsible for the regulation and oversight of child care programs that serve school age children during the hours before and after the traditional school day, while school districts oversee the education and supervision of school-age children during school day hours. During the COVID-19 pandemic, school districts plan to deliver education virtually, creating an urgent need for families to find alternative options for the supervision and educational support of their school-age children during virtual learning hours. In the absence of any existing oversight mechanism to authorize programs to provide this supervision and support, EEC has created new processes to enable Licensed Programs to be responsive to community needs. These new processes empower providers to increase their capacity and/or build new capacity as they adjust to the changing child care and public health landscapes.

In addition to these new expedited processes, EEC has implemented the following policies:

- All **licensing fees are deferred through 2021** to assist Licensed Programs in increasing their sustainability and to alleviate some of the burdens associated with the COVID-19 closure.

- Programs will not be penalized for delays due to COVID-19. When necessary because of a local municipality's restrictions, inspections that have expired since January 2020 may be extended through the period that the COVID-19 Executive Order is lifted, in consultation with the program Licensor. If applying to expand, move, or add licensed spaces through an expedited process, please consult your Licensor or Regional Office if you encounter difficulty fulfilling requiring inspections.

- All expedited applications for new licensure will be issued on a temporary status with an opportunity to convert to permanent licensure within the year. Any program receiving an amended license with temporary conditions issued through the following expedited processes may be given the option to keep the change as a permanent condition, as appropriate and consistent with regulatory standards. Upon expiration of the COVID-19 Executive Order, EEC will work with all programs interested in making a temporary condition into a permanent license change.

Through this document, EEC outlines some of these expedited processes, including the streamlined requirements for Licensed Programs to increase their capacity, space, or licensure in order to promote child care access within their communities.

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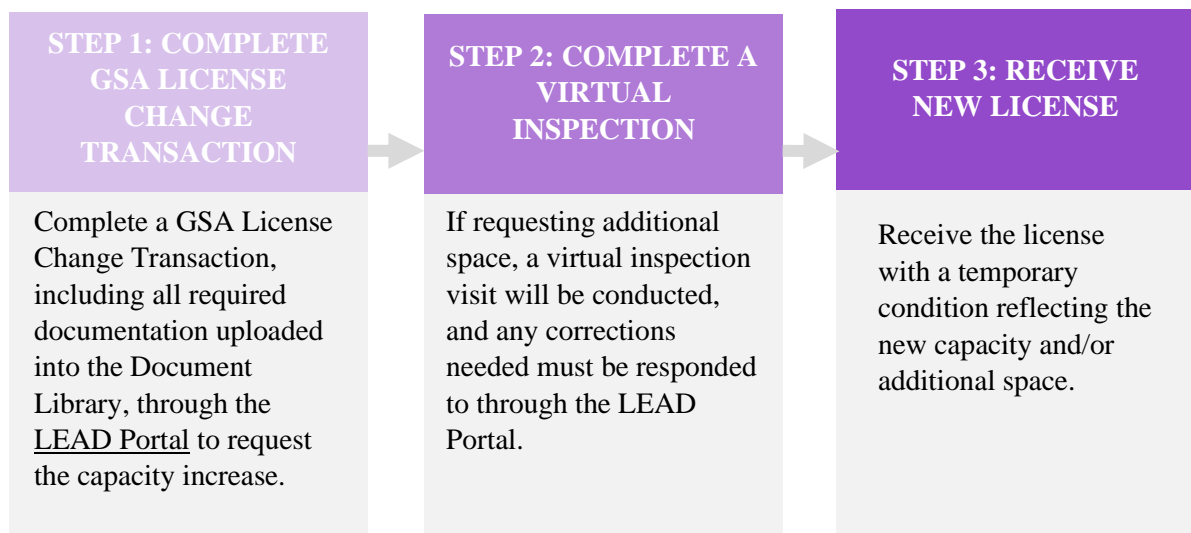# EXPEDITED GROUP AND SCHOOL AGE CAPACITY INCREASE

Use the **Expedited Group and School Age Capacity Increase** process if you are a licensed Group and School Age Program seeking to:

- **Start to serve a new age group** (i.e. begin to offer care for school age children);

- **Serve MORE children** (i.e. increase capacity of school age children); and/or

- **Add space within the currently licensed site to serve more children** (i.e. license two additional classrooms to accommodate the additional school age children).

You will need:

o Staff Records Checklist that reflects at least one staff member with current CPR/First Aid certification (as appropriate to the ages served) when children are present.
o Updated Staff Schedule Form that reflects only staff with complete BRC, including staff needed for a capacity increase.
o Staff Information Forms for all staff hired since last licensing study, including staff needed for a capacity increase.
o Documentation of educator's qualifications for their assigned positions for all educators not previously reviewed by the Licensor (i.e. EEC Certificate of Qualification or transcript and verification of experience, high school diploma, documentation of enrollment in high school or equivalent program, documentation of age, etc.)
o Indoor/Outdoor Space Sketches detailing licensed space and measurements, including space to be used for increased capacity

Step-by-Step Process:

STEP 1: COMPLETE GSA LICENSE CHANGE TRANSACTION	STEP 2: COMPLETE A VIRTUAL INSPECTION	STEP 3: RECEIVE NEW LICENSE
Complete a GSA License Change Transaction, including all required documentation uploaded into the Document Library, through the LEAD Portal to request the capacity increase.	If requesting additional space, a virtual inspection visit will be conducted, and any corrections needed must be responded to through the LEAD Portal.	Receive the license with a temporary condition reflecting the new capacity and/or additional space.

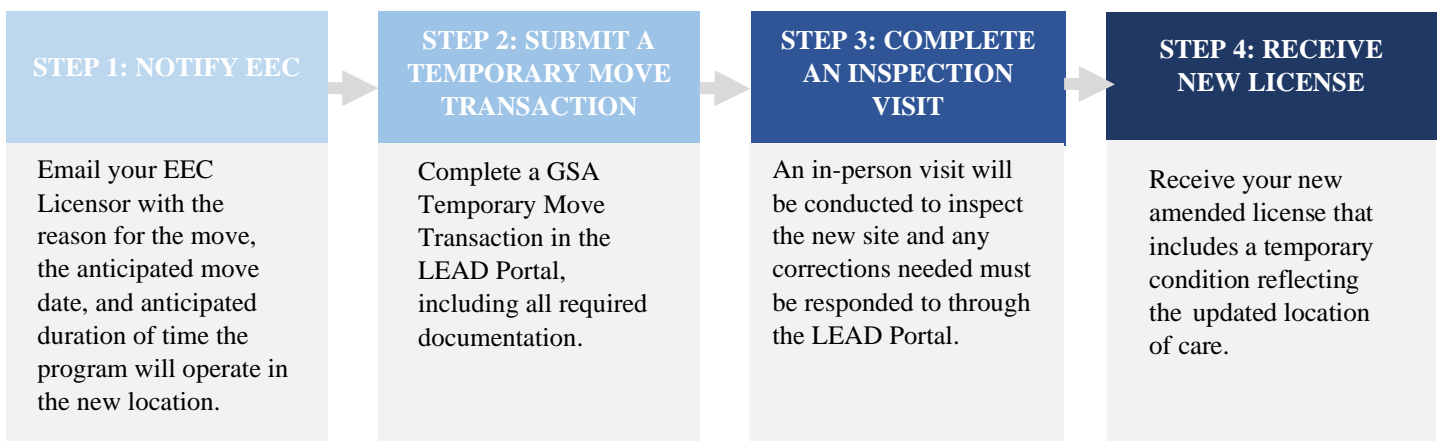# EXPEDITED GROUP AND SCHOOL AGE TEMPORARY RELOCATION

Use the **Expedited Group and School Age Temporary Relocation** process if you are a licensed Group and School Age Program seeking to:

- **Move the program into a new space** (i.e. move licensed after-school program from the middle school into the elementary school to accommodate community needs during the 2020-2021 academic year.)

- **Relocate to a larger space** (i.e move licensed program into a larger building with additional space to promote physical distancing during COVID-19.)

You will need:

- Required inspections
- Indoor/Outdoor Space Sketch
- Updated Staff Schedule (must reflect that required BRCs are completed)
- Updated Staff Records Checklist, if applicable
- Updated Emergency Contingency Plan
- Changes/updates to the Health Care policy, if applicable
- Changes/updates to the Health Care Agreement, if applicable

Step-by-Step Process:

STEP 1: NOTIFY EEC	STEP 2: SUBMIT A TEMPORARY MOVE TRANSACTION	STEP 3: COMPLETE AN INSPECTION VISIT	STEP 4: RECEIVE NEW LICENSE
Email your EEC Licensor with the reason for the move, the anticipated move date, and anticipated duration of time the program will operate in the new location.	Complete a GSA Temporary Move Transaction in the LEAD Portal, including all required documentation.	An in-person visit will be conducted to inspect the new site and any corrections needed must be responded to through the LEAD Portal.	Receive your new amended license that includes a temporary condition reflecting the updated location of care.

EXPEDITED GROUP AND SCHOOL AGE ADD NEW LICENSED PROGRAM

Use the Expedited Group and School Age New Licensure Process to Add a Program Site if you are a licensed Group and School Age Program seeking to:

- **Open an additional licensed program site at a new location** (i.e. opening a second child care program to serve more children)

You will need[1]:

o Staff Records Checklist
o Staff Schedule Form
o Indoor/Outdoor Space Sketches detailing requested licensed space
o Required Inspections
o Evacuation/Emergency Contingency Plan
o BRC for new staff completed
o Tax Certification Form

Step-by-Step Process:

STEP 1: SUBMIT A GSA NEW LICENSE TRANSACTION	STEP 2: COMPLETE AN INSPECTION VISIT	STEP 3: RECEIVE NEW LICENSE
Submit a New License Transaction through the LEAD portal with all required documentation.	Complete an in-person pre-licensing visit with your EEC licensor. Respond to any corrections requested in the visit report from the Licensor.	Receive your new child care license. **Note:** prior to opening, you must complete an Opening Transaction in the LEAD portal for your new program site.

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[1] Health Care Policy, Health Care Consultant Agreement Form (Large Group and School Age Only) and Integrated Pest Management Plan must be submitted through the Document Library within 3 months.

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INTERIM PROCESSES FOR PROSPECTIVE CHILD CARE PROVIDERS SEEKING NEW LICENSURE

1

Complete Pre-Service Orientation and Training

A. Complete the **Potential Provider Meeting: Part 1 (PPM1)** course through the StrongStart Professional Development System, specific to your program type.
B. Contact the regional EEC office[2] to find a **Potential Provider Meeting: Part 2 Q&A (PPM2)** session specific to your program type. Register for a regional virtual Potential Provider Meeting: Part 2 Q&A Session (PPM2).
C. Potential provider completes all required training, including EEC Essentials through the StrongStart Professional Development System. If applicable, Potential Provider completes CPR and First Aid training and certification.

2

Submit a New License Transaction

A. Review the EEC Licensing Regulations and the Interim New Licensure Requirements (listed below) for the correct program type. Prepare and collect all required documents.
B. Contact the regional office to request access to the Licensing Education Analytic Database (LEAD) portal. An email will be sent out to the provider with instructions once the request is processed.
C. Submit a New License transaction in LEAD, including all applicable required documents. Upon submission of the New License transaction, the Potential Provider will receive two emails requesting the submission of Background Record Check (BRC) Consent Form and Tax Certification. Complete and submit both required forms to complete the provider part of the transaction.

3

Pre-Licensing Visit

A. Your EEC Licensor will contact you to schedule an in-person pre-licensing visit to inspect the program space.[3]
B. Technical assistance will be provided for any observed areas where the program is facing barriers to successfully meeting the Licensing Regulations and/or Minimum Requirements for Health and Safety.
C. Receive a visit report and respond to any corrections requested. EEC may require additional verification of corrections before moving forward with final review and approval of the New License transaction.

4

Receive New Licensure

A. EEC will issue the new license, including any conditions as applicable.
B. New Licensee must submit an Opening Transaction and all associated requirements through the LEAD Portal *and* receive provisional approval to open from EEC *prior to operating the child care program.*

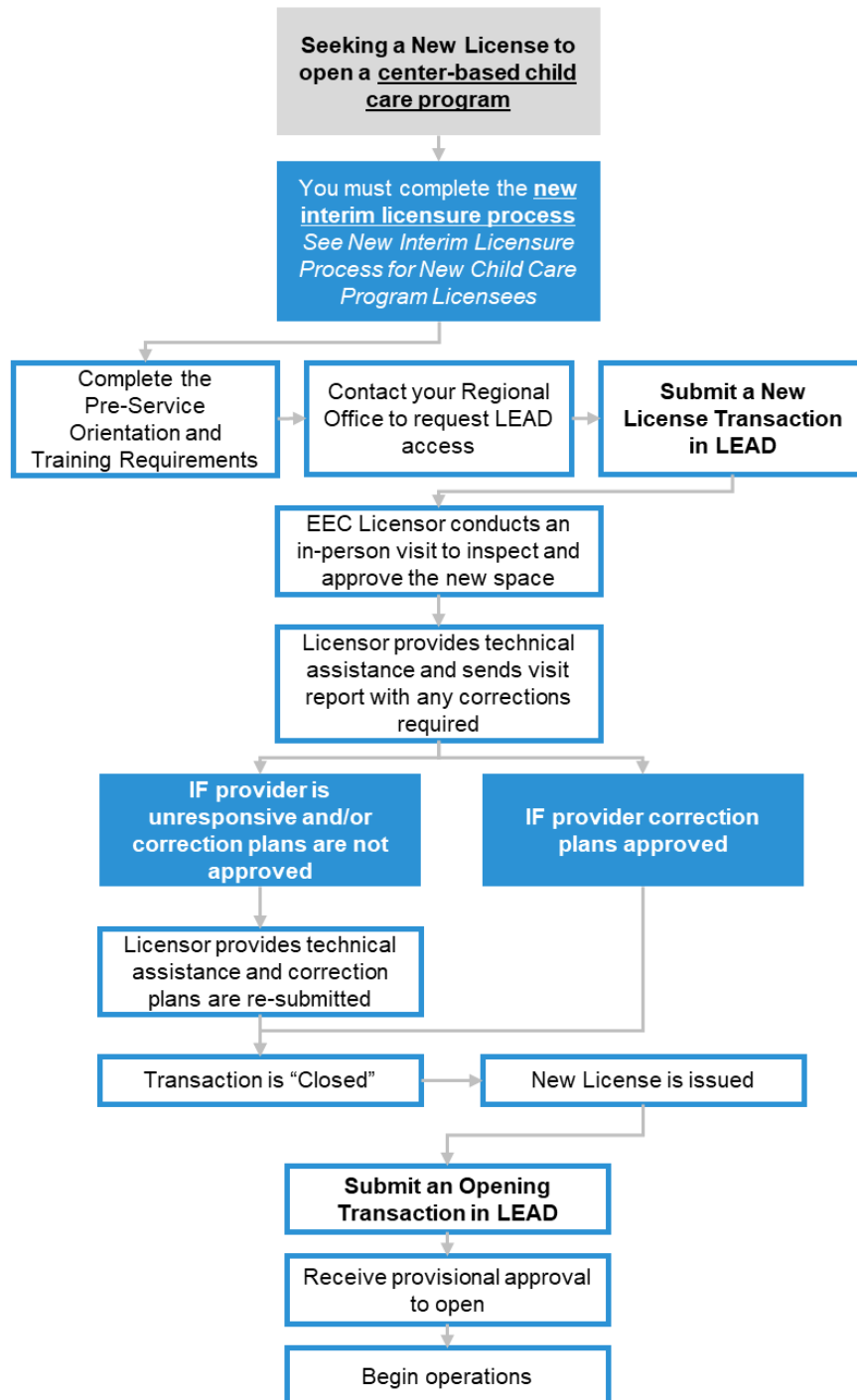[2] Potential Providers must register for the regional PPM2 at the EEC office that they will be licensed by.
[3] The in-person pre-licensing visit will be conducted under strict health and safety guidelines including social distancing and wearing a mask or cloth face covering.

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You will need:

- Evidence of Licensee completion (certificate) of an EEC Group and School Age Child Care Potential Provider Meeting: Part 1 Training through the StrongStart Professional Development System. *Please see the New Potential Provider Meetings section below!*
- Evidence confirming Licensee participation in an EEC Group and School Age Child Care Potential Provider Meeting: Part 2 Q&A Session (date of completion is required to be entered within New License transaction)
- Evidence of completion of online training for all applicable staff (EEC Essentials – 12 modules)
- Staff Records Checklist (must reflect at least one staff member with current CPR certification on premises at all times when children are present and all staff with current first aid certification)
- Staff Schedule Form (must reflect BRC completion for all staff)
- Indoor/Outdoor Space Sketches detailing requested licensed space.
- Required Inspections:
  - building inspection certificate indicating approval for the number and ages of children in care
  - documentation of fire inspection
  - health inspection, if applicable
  - well water or public water supply test results, if applicable
  - swimming pool and indoor pool roof inspection certificate, if applicable
- Parent Information (Parent Handbook) describes the program's policies and procedures for parents.
- Enrollment Procedures and Non-Discrimination Statement
- Plan to Avoid Suspension and Termination
- Evacuation/Emergency Contingency Plan
- Plan for Supervision of Staff
- Transportation Supplement Form if program owned or operated vehicles are used
- Transportation Plan
- Forms maintained in Children's Records
- Ownership Papers such as Corporation papers, Partnership Agreements, DBA's
- Financial Documentation (Large Group and School Age Only)
- Health Care Policy (Large Group and School Age Only)
- Plan for Transitions (Large Group and School Age Only)
- Health Care Consultant Agreement Form (Large Group and School Age Only)
- Integrated Pest Management Plan
- Plan for Referral Services
- Personnel Policies (applicable, if four or more paid staff)
- Plan for Staff Orientation
- Plan for Staff Meetings
- Diapering and Toilet Training Policy (if applicable)
- Tax Certification form. (Sent via email following the submission of transaction with further instructions about this item.)
- Consent for Background Record Check (BRC) electronic form filled out and signed by licensee.
- In-person Pre-Licensing Visit (including response to corrections, as applicable)

What Do I Need to Do Now? A Group and School Age New Licensure Process Overview Graphic

I am <u>not licensed</u> to provide center-based child care and...

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│ open a center-based child│
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Complete the Pre-Service Orientation and Training Requirements

Contact your Regional Office to request LEAD access

Submit a New License Transaction in LEAD

EEC Licensor conducts an in-person visit to inspect and approve the new space

Licensor provides technical assistance and sends visit report with any corrections required

IF provider is unresponsive and/or correction plans are not approved

IF provider correction plans approved

Licensor provides technical assistance and correction plans are re-submitted

Transaction is "Closed"

New License is issued

Submit an Opening Transaction in LEAD

Receive provisional approval to open

Begin operations

Appendix: Additional Guidance on Process and Requirements

The Department of Early Education and Care (EEC) recognizes the importance of safe options for families and child care providers as they consider the best approach for their unique circumstances and needs during the COVID-19 Emergency, including new staffing models to adjust to the pandemic and renewing licenses that have expired since the closure and temporary relocation due to ongoing COVID-19 closures.

In response, EEC is issuing guidance for programs seeking to respond to community needs by expanding or modifying their program structure and operations in order to ensure that families with children have access to safe options for core and supplemental care options during the 2020-2021 academic year.

Appendix A: Opening Following the COVID-19 Closure of Child Care

! **Important Note: New licensees must submit an Opening Transaction AND receive provisional approval from EEC prior to opening and operating the new licensed program.**

The Process to Open Following the COVID-19 Closure

NOTE: please see the EEC web site for important materials to inform the reopening process, including templates for health and safety planning and a copy of the Attestation Form, available in multiple languages.

Step 1: Required Health and Safety Training
Complete the required health and safety training ("Guidance for Reopening Child Care") through the StrongStart Professional Development System. This training must be completed by all educators and staff prior to opening the program for child care during COVID-19.

Step 2: **Opening Transaction**
Submit an Opening Transaction for the applicable program type through the LEAD portal. Complete transactions will include:
- COVID-19 Health and Safety Plans;[4]
- Current staff checklist (must reflect completion of the Guidelines for Reopening Child Care course offered through the StrongStart Professional Development System for all applicable educators and staff); and
- Signed Attestation Form.

Step 3: Provisional Approval
Programs shall receive a provisional approval letter once EEC has reviewed the application and confirmed that the program meets the applicable criteria below. Programs issued provisional approval may begin to operate immediately upon receipt of the approval letter/email and in accordance with any applicable conditions. Provisional approvals shall remain in effect until Final Approval has been issued by EEC.

Provisional approval will be issued based upon the following criteria:

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[4] Previously known as Reopening Plans.

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- A current (not expired[5]) license in good standing (no open investigation, legal order, and no pending legal referral)
- Required health and safety training ("Guidance for Reopening Child Care") completed by all educators and staff *(must be indicated on the staff training checklist)*
- Submission of a completed attestation form, including signature of the licensee and date
- Submission of all required COVID-19 Health and Safety Plans *(programs may use the template provided by EEC or their own, provided all required sections are addressed)*
- Intended date of opening is indicated in the transaction
- All information entered within the transaction is complete, current, and consistent with EEC regulatory requirements and the program's license
- All required Background Record Checks (BRC) have been initiated

! ***Please note that any candidates in provisional status may not work directly with children unless in direct visual supervision of a program employee that has already been found suitable by EEC.***

Step 4: **Final Approval**

Final approval will be issued once the program's COVID-19 Health and Safety Plans have been approved. EEC Licensors shall review all submitted COVID-19 Health and Safety Plans carefully and may use email and telephone calls to communicate with programs about their opening plans. Technical assistance will be offered to support providers with their plans and updates may be requested before the plans are approved and final approval is issued, when deemed necessary by EEC.

In some instances, EEC may require a virtual visit to be conducted prior to issuance of final approval, including programs in the renewal process and those for whom an annual differential monitoring visit did not occur due to COVID-19.

Upon review and approval of a program's COVID-19 Health and Safety Plans and receipt of a complete Opening Transaction, the program will receive final approval and must post the Final Approval Letter next to their license for the duration of the COVID-19 pandemic.

Appendix B: Interim License Renewal Process and Requirements

1. **Provider completes a Renewal Transaction through the LEAD portal, including submission of all required and/or updated documents.**

2. **Licensor will conduct a virtual renewal visit. The renewal visit must be conducted by the licensor, responded to by the educator, and closed before the renewed license can be issued.**

3. **Provider will receive the renewed license via mail.**

Renewal Transaction Requirements for Group and School Age Programs
- Licensee completes the Group and School Age Application/Transaction and uploads all required documents into their document library, including:

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[5] Licensees who are in "Renewal in Progress" shall be considered current and may be provisionally approved, provided they have submitted all required opening documentation. A virtual visit must take place before final approval is issued.

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- o Current Staff Records Checklist (must reflect at least one staff member with current CPR certification on premises at all times when children are present and first aid certification for all staff)
- o Current Staff Schedule Form (must include only staff with completed BRCs)
- o Any additional *policies that have been changed or updated since last licensing visit*, including:
    - o Financial Documentation
    - o Integrated Pest Management
    - o Health Care Consultant Agreement Form
    - o Required Postings
    - o Required Inspections
    - o Background Records Checks complete for all GSA staff[6]
    - o Tax Certification Statement Form
- o Virtual Renewal Visit conducted and responses to any corrections requested have been received and approved by EEC.

Appendix C: Reciprocity for EEC Educators Seeking to Work as an FCC Assistant Process and Requirements

Group and School Age Reciprocity - Individuals holding an EEC Teacher Certification (Infant/Toddler, Preschool, Lead Teacher, or Director) shall be considered to meet the qualifications as a Certified Assistant and must complete the following steps to become an FCC Certified Assistant.

1. Complete the FCC Certified Assistant application process through the LEAD portal.
2. Complete a new Background Record Check (BRC).
3. Upload evidence of completion (certificates or date of completion) for the Family Child Care Potential Provider Meeting: Part One training, EEC Essentials trainings[7], and the new "Guidance for Reopening Child Care" course.
4. Upload the current EEC Teacher Certification an Additional Attachment to the transaction.

Appendix D: NEW Potential Provider Meeting Orientations

The Potential Provider Meeting Orientation is a two-part series designed specifically for prospective child care providers seeking to operate a child care business in Massachusetts. In order to ensure safe access to the required orientations during the COVID-19 pandemic, EEC has designed virtual options that are available to all potential providers across the state.

The Potential Provider Meeting: Part 1 (PPM1) course is the first in a two-part orientation series for individuals interested in learning more about what is involved in becoming a licensed child care provider in the state of Massachusetts. Through this training, EEC will introduce participants to the licensing rules, business considerations, and professional qualifications needed to run a licensed child care business.

The Potential Provider Meeting: Part 2 Q&A Session (PPM2) is the second orientation, focusing more on the regulations and associated policies and procedures. Through the second PPM, prospective licensees will learn more about the licensing rules that govern child care in MA and what the specific components of complete licensing application look like. Participants will have an opportunity to meet the EEC

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[6] If a Licensee is due for BRC renewal or if LEAD does not have BRC information on them, LEAD will send a BRC form out as part of the renewal transaction.

[7] Individuals that had completed the EEC Essentials during previous employment may provide the certification received previously.

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licensing supervisor from their respective regions and take part in a Question & Answer session to make sure they have the answers they need as they begin the process of becoming a new licensee.

How to Access the Potential Provider Meeting: Part One

Step 1: Go to the StrongStart Professional Development System (SSPDS) Home Page https://strongstart.eoe.mass.gov/ets/home.

Step 2: Click on Course Catalog (located on the left of the screen).

Step 3: Find the Potential Provider Meeting: Part One course that is appropriate to the type of care you intend to provide (Family Child Care or Group and School Age Child Care) and click the link.

Step 4: The system will ask participants to either sign-in or create a new account (if participants have not been in the SSPDS before. During the process of creating a new account, the SSPDS will ask for your Professional Qualifications Registry (PQR) number. **If the participant has an account in the EEC PQR, the participant's PQR# should be used as the code.** Participants that do not yet have an account may enter '3333' as a temporary code to take this course.

Step 5: Complete the Potential Provider Meeting: Part One training. At the end, save and/or print out your certificate.

Please note: Participants moving forward in the licensure process will need to have evidence of completion of PPM1 and the date of completion of both PPM 1 & 2 orientations in order to submit the application for your license or certificate.[8]

How to Access the Potential Provider Meeting: Part Two

Step 1: Call the regional EEC office located within your region to identify a PPM2 date and to register for the chosen PPM2 session.[9]

Step 3: Look for an email with log in information needed to join the PPM2 session. Save the information and have it accessible on the date of the scheduled session.

Step 4: Join the PPM2 session a few minutes before the start time and come prepared with any questions.

Participants moving forward with licensure after completion of the PPM2 session will be instructed to reach out to the regional office to request access to the Licensing Education Analytic Database (LEAD). They may then submit a New License Application transaction.

Appendix E: COVID-19 Incident Reporting Processes

Routine Reporting of all COVID-19 Related Incidents

All COVID-19 related incidents must be reported to EEC by submitting an Incident Report through the LEAD portal. This includes any presumptive or confirmed COVID-19 cases and/or any confirmed or presumptive exposures involving any individual(s) that spent time in the child care space. Please note:

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[8] There is a link on the homepage on how to view and print certificates.
[9] If you are a prospective FCC provider, you will receive an email confirming your registration.

Incident reports must be submitted any time a program is made aware of an individual getting tested for a possible exposure, in addition to when made aware of a positive test.

While the Department of Public Health reporting (below) is focused on positive cases among children, staff, and family members, EEC Incident Reports track the impact to the program. Therefore, the EEC Incident report should contain the following key information, if available:

- o Individual and their role in the child care setting (child, family member of a child, educator, assistant, household member, or exposure through a contact with one of the above)
- o Status of the COVID case (presence of symptoms, whether a test has occurred, whether it is a confirmed close contact)
- o Brief description of any guidance received from the Local Board of Health or DPH epidemiologist and any additional contact tracing activities or instructions, if applicable
- o Related actions undertaken by the program to respond (isolation, quarantine, communication with families, and/or closure and recommended follow-up steps)

Procedure to Report COVID-19 Positive Staff, Children, or Children's Household Members

All licensed child care programs must follow the steps below when informed of a confirmed COVID-19 positive individual in their program or of a confirmed COVID-19 positive individual that shares a home with an individual in the program.

1. Report the positive case to the Department of Public Health using the COVID-19 Positive Reporting Form (a link to this form can be found in a provider's LEAD account)

2. Connect with an Epidemiologist from the Department of Public Health to discuss next steps. **The Epidemiologist will call the contact as listed in the reporting form after the COVID-19 Positive Reporting Form is submitted.**

3. Implement a communication plan that maintains the privacy of the infected individual and addresses next steps with impacted families as discussed with the Epidemiologist.

4. Per the guidance above, submit an incident report in LEAD in the same manner as another infectious disease.

Appendix F: What Do I Need to Do Now? Overview of Expedited Processes for Licensed Group and School Age Programs

I am a licensed Group and School Age (GSA) Provider...

Wanting to serve MORE school aged children in my currently licensed site and/or add MORE space

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You must request to **add or increase capacity and/or add licensed space**
See New Expedited Group and School Age (GSA) Capacity Increase Process

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Submit a License Change Transaction in LEAD

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IF no additional space requested | **IF additional space requested**

↓ (additional space)

Virtual visit is conducted to inspect and approve additional space

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Seeking to temporarily move my program for the academic year

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You must request to **temporarily move** your program to a **new space/location**
See Group and School Age Expedited Temporary Relocation Process

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Submit a Temporary Move Transaction in LEAD

Wanting to open another program at a new site

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You must request to **open an additional new GSA program site**
See New Expedited Licensure of New Program Process for Currently Licensed GSA Programs

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Submit a New License Transaction in LEAD

↓

In-person visit is conducted to inspect and approve the new space

↓

Licensor provides technical assistance and sends visit report with any corrections required

Program addresses all corrections and submits response through LEAD

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IF provider is unresponsive and/or correction plans are not approved

Licensor provides technical assistance and correction plans are re-submitted

IF provider correction plans approved

↓

Transaction is "Closed"

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License is issued