

STATE OF MAINE
YOUTH CAMPS RULE
10-144 CODE OF MAINE RULES
Chapter 208



Department of Health and Human Services
Maine Center for Disease Control and Prevention
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SECTION 1. PURPOSE AND DEFINITIONS

- A. Purpose.** The purpose of this rule is to ensure safe and sanitary conditions for campers consistent with the philosophy, type or style of camp experience offered at each individual youth camp. This rule defines terms and establishes requirements for the licensing of youth camps for children residing in or visiting the State of Maine. Requirements for the camps' premises and buildings, sanitary facilities, health supervision, staffing, swimming facilities, program safety and fire prevention are outlined. Standards are also set for primitive camp facilities associated with youth camps and for the conduct of trip camping.
- B. Definitions.** The definitions in this rule supplement the definitions in the applicable statutes and the *Health Inspection Program Administration Rule*, 10-144 CMR Ch. 201.
1. **Abuse and neglect** means a threat to a child's health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation, or deprivation of essential needs, or lack of protection from these, by a person responsible for the child.
 2. **Accredited or Recognized Certification Program for Youth Camps** means a particular program that has been evaluated and listed by an accrediting agency as conforming to national standards for organizations that certify individuals.
 3. **Active managerial control** means a food safety management system where managers develop and implement food safety protocols to prevent, eliminate or reduce the occurrence of foodborne illness.
 4. **Adult** means any person 18 years of age or older.
 5. **Aquatics** means a program of activities, including swimming, watercraft or other recreational water-related activities that occur in the water or at the waterfront (i.e., lake or pool).
 6. **Animal husbandry** means the science of breeding and caring for farm animals.
 7. **Base camp** means a structure or site from which a primitive or trip camping expedition originates.
 8. **Building** means an enclosed structure with walls and a roof. For the purposes of this rule, building means a permanent building.
 9. **Bullying** means the repetitive, intentional harm of one person or group by another person or group, where the relationship involves an imbalance of power. Bullying may be physical, verbal, or psychological and can happen face to face or online.
 10. **Bus** means a vehicle designed to seat more than 15 occupants, including the driver.
 11. **Camp Director** means a person who owns, directly controls, or generally manages the day-to-day operations of a youth camp and is responsible for ensuring compliance with this rule, or a designee appropriately trained and responsible for overseeing camp operations when the Camp Director is not on site or available.

12. **Camper** means any person in a youth camp on a fee or non-fee basis who is a participant in the camp program.
13. **Child or children** means a person or persons under the age of 18.
14. **Common drinking container** means a cup or other drinking vessel used by more than one person without cleaning and sanitizing between uses.
15. **Common towel** means a towel used by more than one person without laundering between use.
16. **Complaint** means, for the purposes of this rule, an allegation to the Department that the youth camp committed a violation of this rule.
17. **Complete license application** means an application for any license issued in Section 2(B) of this rule that includes all required youth camp information, for the Department to review and determine whether issuance of a license is appropriate.
18. **Counselor** means a person who supervises and/or instructs campers.
19. **Counselor in training (CIT)** means a person 15-17 years of age, who is learning the leadership skills necessary to become a camp counselor. CIT can be both a person's designation and a program, intended to prepare people to become counselors.
20. **Critical violation** means a violation of this rule which presents a clear risk of contamination, illness, or other safety or environmental health hazard. A critical violation is denoted in this rule as *Critical*.
21. **Day** means the period of time from 12:00 a.m. to 11:59 p.m. on any given calendar date, including a portion of this period.
22. **Day camp** means a youth camp operated for five or more consecutive days during an established session or program established by the day camp. Campers go home to a parent or guardian each night, except for an occasional overnight, not to exceed one overnight per week. Typically, day camps include activities such as watersports, target sports, equestrian activities, adventure challenge courses, trip camping, and farm camps. Day camps do not charge hourly rates for childcare services.
23. **Department** means the Department of Health and Human Services, Maine Center for Disease Control and Prevention.
24. **Duckboard** means a boardwalk placed on the floor of a shower to keep occupants out of any accumulation of water.
25. **Dwelling** means any enclosed space, which is wholly or partly used for living or sleeping by human occupants.
26. **Extensively renovated or expanded** means to reconstruct, replace or increase by 25% or more of (a) the youth camp's camper population, or (b) the youth camp's living quarters, kitchen, infirmary or shower/bathroom buildings.

27. **Facilities** means any building, structure or enclosure maintained and operated by the youth camp.
28. **Farm Animal** means any animal that is raised on a farm, and with which campers will interact. Farm animals do not include domestic pets like dogs and cats.
29. **Garbage** means all putrescible waste, including vegetable and animal matter, except sewage and body waste.
30. **Good agricultural practices (GAP)** mean specific methods which, when applied to agriculture, create food for consumers or process food that is safe and healthy.
31. **Good repair** means free of corrosion, breaks, cracks, chips, pitting, excessive wear and tear, leaks, obstructions, and similar defects.
32. **Hazard Analysis Critical Control Point (HACCP)** means a systematic evaluation of food preparation procedures to identify opportunities for bacterial contamination and growth. From this perspective, a public health inspector may then determine those circumstances which could result in the development of food-borne diseases. This definition contains further clarification of the Maine Food Code at 10-144 CMR Ch. 200, §1-201.10(B)(53) for the purposes of this rule.
33. **HACCP plan** means a written document that delineates the formal procedures for following the HACCP principles developed by The National Advisory Committee on Microbiological Criteria for Foods. This definition contains further clarification of the *Maine Food Code* at 10-144 CMR Ch. 200, §1-201.10(B)(54) for the purposes of this rule.
34. **Hazing** means any humiliating, degrading, or abusive action that intentionally endangers the mental or physical health of another person as a condition of joining or participating in a group.
35. **Health hazard** means a significant threat or danger to health and safety that requires immediate correction or cessation of operation or activity to avoid potential, enduring and severe injury to one or more individuals.
36. **Health inspector** means a person employed by or contracted with the Department or delegated municipality to engage in the promotion and protection of public health and safety. This definition contains further clarification of the *Maine Food Code* (10-144 CMR Ch. 200, §1-201.10(B)(57)) for the purposes of this rule.
37. **High elements** mean the parts of an adventure challenge course that are usually 25-50 feet from the ground and are typically anchored to trees or poles and have the potential for high risk to participants if not facilitated by trained instructors.
38. **Highly susceptible population** means a group of persons who are more likely than other people in the general population to experience foodborne disease because they are immunocompromised. Examples of highly susceptible populations include but are not limited to pre-school age children.
39. **Imminent health hazard** means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance or event creates a situation that requires immediate correction or cessation of operation to

prevent injury based on: (a) the number of potential injuries and (b) the nature, severity and duration of the anticipated injury. Imminent health hazard may include, but is not limited to, the following:

- a. An extended loss of water supply;
- b. An extended power outage;
- c. Flood water or sewer back-up into the youth camp;
- d. Fire;
- e. Failure to adhere to public health measures during an extreme public health emergency; or
- f. Any other violation(s) or conditions that has/have the potential to pose an imminent threat to public health.

Failure to include other violations in this definition shall not be construed as a determination that other violations may not, in light of the circumstances, be found to pose an imminent health hazard.

40. **Inspection** means an on-site regulatory review of an establishment licensed by the Department's Health Inspection Program and conducted by a health inspector. The types of inspections include:
 - a. Pre-operational (an inspection prior to an operational inspection to meet with owner to check on equipment, facilities and other requirements);
 - b. New establishment (new construction; extensive renovation; or the establishment was not previously licensed by the Department);
 - c. Regular (a routine inspection for compliance as part of licensure, referred to in 22 MRS § 2494);
 - d. Change of ownership;
 - e. Follow-up (when a previous inspection requires an additional Department inspection);
 - f. Special investigation (an inspection for reports of a fire, an Imminent Health Hazard, flood, power outage, loss of water, boil water orders, or to investigate an inquiry or referral from another agency); and
 - g. Complaint.
41. **Lavatory** means a sink or washbasin in a toilet facility.
42. **Letter of enforcement or Notice of Noncompliance** means a Department document that notifies a licensee, applicant, or unlicensed entity requiring licensure of a licensing requirement or violation(s), outlines the actions to resolve any outstanding violations or requirements, and sets a deadline for the requirement or the correction of the violation(s). A letter of enforcement may also be issued to non-licensees to notify them that a license is required.
43. **Lifeguard** means a person certified as a lifeguard by the American Red Cross or who has equivalent certification from a Nationally Recognized Certifying Body (NRCB).

44. **Lookout** means a staff member without lifeguard certification who works under the direct supervision of lifeguard when observing participants during swimming activities.
45. **Low elements** mean the parts of an adventure challenge course that are close to the ground and present a low risk.
46. **Nationally Recognized Certifying Body (NRCB)** means an organization recognized in its country of origin as one that certifies that an individual has certain training or skills.
47. **Non-critical violation** means a violation of this rule which does not present a clear risk of contamination, illness, safety or environmental health hazard. In contrast to critical violations, which are denoted as *Critical*, any violations lacking a *Critical* notation are non-critical violations.
48. **Notifiable disease or condition** means any communicable disease or condition, occupational disease or environmental disease, the occurrence or suspected occurrence of which is required to be reported to the Department pursuant to 22 MRS Ch. 250 and the Control of Notifiable Diseases or Conditions Rule at 10-144 CMR Chapter 258.
49. **Operator** means any person or entity who owns and/or operates a youth camp.
50. **Person in charge** means the individual who directly oversees the youth camp's food service operation and includes the individual responsible for such food service operation at the time of Department inspection. This definition of Person in Charge further clarifies the *Maine Food Code* definition (§1-201.10(B)(77)), for the purposes of this rule.
51. **Primitive facility** means a portion of the basic camp premises or other site under control of the operator of the camp, at which site the basic needs for camp operation such as places to abide, water and supply systems, permanent type toilet facilities and permanent types of culinary facilities are not usually provided.
52. **Program** means an activity or activities conducted and monitored by the camp.
53. **Pool** means a basin, chamber or tank constructed of smooth, impervious, and easily cleaned materials, located either indoors or outdoors; in-ground, above-ground or on-ground; provided with a controlled water supply and containing an artificial body of water, used for swimming, recreational bathing, or wading. Pool includes any related equipment, structures, areas and enclosures that are intended for the use of persons using or operating the pool, including equipment, dressing lockers, showers and toilet rooms.
54. **Public pool** means any constructed or prefabricated pool, other than a residential pool or medical facility pool, that is intended to be used for swimming, recreational bathing, or wading. Examples include but are not limited to pools at childcare facilities, camps or schools. This definition supplements the statutory definition at 22 MRS § 2491(10-A) and the classifications of public pools in the *Rules Relating to Public Pools and Spas* (10-144 CMR Ch. 202, §1(B)(13)).
55. **Refuse** means all solid wastes, except body wastes. Refuse also includes garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.

56. **Repeat violation** means a violation determined and recorded during a previous inspection or site visit that is present again at the time of the current inspection or site visit.
57. **Reportable condition** means medical conditions as described in Section 8(C)(1) of this rule which are required to be reported within 72 hours to the Department.
58. **Residential camp** means a youth camp where campers stay overnight for at least five consecutive days and the camp is responsible for campers at all times.
59. **Rubbish** means all solid wastes, except ashes. Rubbish consists of both combustible and noncombustible material, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, metals and similar materials.
60. **Safe** means to be free from harm or risk, secure from threat of danger, harm, or loss or affording security from danger, risk, or difficulty.
61. **Schedule II drug** means a drug scheduled in accordance with 21 U.S.C. §§ 801 et. seq. that has a current accepted medical use and a high potential for severe psychological or physiological abuse.
62. **Sewage** means any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals or any other polluting substance.
63. **Staff** means any camp employee or volunteer, including a counselor.
64. **Standing orders** mean written instructions for medical care, consistent with the youth camp's program(s), prepared, signed and dated annually by either a Maine-licensed physician or nurse practitioner or by an out-of-state physician or nurse practitioner who has obtained a youth camp license in accordance with the Maine Board of Licensure in Medicine requirements at statute (32 MRS § 3277) and rule (02-373 CMR Ch. 1, § 6 (8)).
65. **Target Sports** means an activity that includes propelling an object with the aim to place it on or near a target area. Activities include but are not limited to riflery, archery, shot guns, and clay pigeons.
66. **Tent or tent dwelling** means any non-permanent shelter of which 25% or more of the wall or roof or both are constructed of, or covered or protected by, canvas or any other fabric material.
67. **Trip and travel camping** means a program with a duration of two or more consecutive nights in which groups of individuals who are mobile, moving under their own power or by transportation which permits individual guidance of the vehicle or animal (e.g., bicycle, canoe, horse, sailboat, snowmobile), travel from one site to another.
68. **Van** means a vehicle having a capacity of 10 to 15 persons, including the driver, as determined by the vehicle manufacturer.
69. **Variance** means a written document issued by the Department that authorizes a modification or waiver of one or more requirements of this rule, if a health hazard will not result from the modification or waiver.

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70. **Violation** means a critical or non-critical regulatory finding of non-compliance with this rule.
 71. **Waterfront** means any areas adjacent to a body of water including pools, where swimming or other recreational water related activities occur.
 72. **Water supply** means a source of water provided to the youth camp for drinking or for interior plumbing operations. The water supply includes any or all water treatment storage, transmission and distribution facilities, for the purposes of this rule.
 73. **Youth camp** means a combination of program and facilities established for the primary purpose of providing an outdoor group living experience for children with social, recreational, spiritual, and educational objectives and operated and used for five (5) or more consecutive days during one or more seasons of the year. “Youth camp” includes day camps, residential camps and trip and travel camps. “Youth camp” does not include programs overseen by employees or volunteers of municipalities and/or educational institutions when the activities generally take place at municipal or institutional properties or buildings.

SECTION 2. APPLICATION AND LICENSING

- A. Fees.** Unless otherwise stated in this section, applicants must pay the appropriate license fee to the Department at the time of submitting the application. Fee amounts for each license are outlined in the *Health Inspection Program Administration Rule* (10-144 CMR Ch. 201). If the Department receives overpayment, then the Department will return the check or money order to the applicant. If the Department receives an under payment, then the Department will contact the applicant for the remainder of the fee. The applicant, in such an event, would be required to re-submit the correct fee payment, in order for the Department to continue its review of the application.
1. License fees provide for one licensure inspection and one follow-up inspection, in accordance with 22 MRS §2494. When additional inspections are necessary, the Department may charge a \$100 fee for each additional inspection or visit.
 2. No fee is assessed for non-profit organizations that are exempted by licensing requirements and by 22 MRS § 2501, which allow such organizations to conduct 24 or fewer events and meals per year.
 3. If the Department returns a check to an applicant or licensee, due to insufficient funds, then payment by credit card, bank check or money order must be delivered in place of the check. In cases where the applicant or licensee fails to pay by the required method of payment, the Department will consider any licensed issued as a result of such insufficient payment to be issued in error.
- B. Complete application.** Prior to opening a new youth camp or extensively renovating or expanding any existing youth camp or converting any existing facility to a new youth camp, a license applicant must submit all applicable plans and documents below, for the application to be complete. License applicants must be at least 18 years old and submit the following applicable items with fee payment in accordance with Section 2(A) above, to the Department:
1. Complete plans of the youth camp showing:
 - a. The area and dimensions of the tract of land;
 - b. A schematic diagram of the youth camp for all dwellings and sanitary facilities including the number, location size, use, description and specifications;
 - c. The materials used in the construction for the floors, walls and ceilings;
 - d. The total number and location of all toilet, lavatory and shower fixtures used by campers and staff at the youth camp. A signed Appendix C must be submitted as part of the license application to the Department to demonstrate approval by the authorized Local Plumbing Inspector or Code Enforcement Officer or other local authorized official that the youth camp meets septic capacity in accordance with the *Subsurface Wastewater Disposal Rule* (10-144 CMR Ch. 241);
 2. Potable Water: If the youth camp is a public water system regulated by the Department's Drinking Water Program, the youth camp demonstrate compliance with the *Rules Relating to Drinking Water* (10-144 CMR Ch. 231);

- a. Youth camps using and serving well water that are not regulated by the Drinking Water Program must report written results of satisfactory analysis for inorganic and volatile organics screening tests, if applicable, or in accordance with the application;
- b. Youth camps using and serving surface water must comply with the testing requirements of Section 6(B)(4)(a) of this rule;
3. The location of garbage, refuse areas and manure pits, if applicable;
4. Additional Information required for youth camps that prepare food. Food operations and food safety practices must comply with the *Maine Food Code* (10-144 CMR Ch. 200). The following information must be submitted at least 30 calendar days prior to opening:
 - a. Menu or draft menu;
 - b. Floor plan of the kitchen and food storage area;
 - c. Materials used for floors, walls, ceilings and food contact surfaces;
 - d. Special food operations areas (salad bars, buffets, food processing etc.);
 - e. Location of bathrooms;
 - f. A list of all food service equipment;
 - g. The location and placement of all food service equipment; and
 - h. Valid CFPM certificate for the person in charge of food operations at the youth camp;
5. **A valid certified pool operator certificate**, for those youth camps with a public pool or spa. Pool operations and practices must comply with the *Rules Relating to Public Swimming Pools and Spas* (10-144 CMR Ch. 202); and
6. **Child abuse and neglect policy.** A youth camp applicant must submit a copy of its policy for preventing, responding to, and reporting child abuse or neglect, in accordance with 22 MRS § 4010 (2). The following information must be included with either an application for licensure or upon renewal if not submitted at the time of application:
 - a. A description of how the program and campers are managed to prevent abuse or neglect;
 - b. The reporting of suspected abuse or neglect or other violations to the appropriate designated authorities;
 - c. The youth camp's course of action if allegations of abuse or neglect are made against the youth camp or its staff; and
 - d. The youth camp's grievance procedures for staff and for campers and their parents or guardians regarding alleged abuse or neglect.

- C. Application requirement for changes.** An updated license application must be submitted for new construction or extensive renovation of a youth camp to include complete plans for the proposed renovated or expanded facilities demonstrating compliance with this rule. A new license application is also required for any change of ownership. Any change in LLC that results in a member assuming controlling interest from the original license will require a new application.
- D. Department review and decision.** The Department will review applications within 30 days of receipt of the completed application and full license fee payment.
1. When the Department determines that all application and fee requirements are satisfied according to Sections 2(A) and (B) above, a health inspector will schedule a pre-operational inspection. If the Department determines that the inspection is satisfactory, the Department will issue a license to the applicant within 30 days of receiving the completed license application. The Department will, in its review, determine whether to grant a full license, deny the license, issue a restricted license or issue a conditional license.
 2. **Denial of application for license.** When the Department determines that any conditions present a serious danger to the health and safety of the public, or the actions required to correct the conditions are impossible to complete under a conditional license, then the Department will deny the license application. The Department will notify the applicant of its denial of application within 30 days of receipt of the completed application and fee payment. This notification of license denial from the Department will include the following:
 - a. The specific reasons and relevant rule citations for the license denial;
 - b. The actions, if any, that the applicant must take to qualify for a license; and
 - c. Notice of the applicant's right of appeal and the process and time frames for appeal that are provided in this rule.
 3. **Conditional licenses.** When the Department decides to issue a conditional license to an applicant, it will notify the applicant of the specific reasons and relevant rule citations for the conditional license, the specific conditions and actions required to receive a full license, the duration of the conditional license, as well as notice of the applicant's right of appeal and the process and time frames for appeal that are provided in this rule. Conditional licenses will only be issued by the Department when it determines that the conditions are such that they may be achieved within the conditional licensing period.
 - a. The Department will issue a conditional license for a specific length of time that is in accordance with managing public health risk.
 - b. Failure by the conditional licensee to meet the conditions specified by the Department is grounds for the Department to void the conditional license.
 - c. If the conditional licensee submits another license application, but the conditions from the previous conditional license are still not met, then the Department will deny the license application.
 4. **Restricted licenses.** The Department may place restrictions on licenses, when there is a greater public health risk, which include, but are not limited to, under-sized septic systems, inadequate water quality or any other public health risk. Restrictions may include requiring

single-service articles, bottled water exemptions, water meters, limiting meal service or any other requirement that protects public health.

E. Licensing

1. Any person, corporation, firm or co-partnership who conducts, controls, manages or operates, for direct or indirect compensation, any youth camp must be licensed by the Department.
2. A food service company contracted by a youth camp must have a separate Food Service at Youth Camp (Eating & Catering) license.
3. Licenses, conditional licenses, inspection reports or other notices issued by the Department must be displayed in a place readily visible to campers, staff, or visitors who manage, work at or access a licensed youth camp. Camp directors or designees must make such Department correspondence readily available to the public, upon request. The Department will ensure that medically identifiable information is removed from inspection reports, in accordance with 22 MRS §42(5).
4. **Term.** The Department will issue licenses for a term of one year for all licenses described in this rule, in accordance with 22 MRS Ch. 562.
5. **Compliance.** Licensees are responsible for ensuring compliance with this rule and all other applicable rules and statutes.
6. **Renewal of licenses:** The Department will notify licensees of an upcoming license renewal at least 30 days prior to the current license expiration date. The licensee must demonstrate compliance with Department rules, including, but not limited to, the Maine CDC Drinking Water Program's *Rules Relating to Drinking Water* (10-144 CMR Ch. 231) and *Subsurface Wastewater Disposal Rules* (10-144 CMR Ch. 241). When the Department is determining whether to renew a license, it will review the licensee's compliance status. If the Department finds any non-compliance, the Department may either deny the youth camp license renewal or issue a conditional youth camp license instead of full youth camp license renewal.
 - a. All youth camp licenses are renewed annually upon payment of the appropriate youth camp license fee and demonstration of compliance with applicable Maine statutes and rules.
 - b. It is the responsibility of the licensee to renew licenses prior to the expiration date. Operation after the license expiration date without renewing the license is prohibited.
 - c. The Department will deny renewal of a license when conditions exist where violations are not corrected by the Department's deadlines or the licensee has repeatedly incurred the same violations after technical assistance and guidance, or the Department determines that correction of existing violations is not likely to be achieved during a conditional license and/or there is an immediate threat to public health and safety.
 - d. Pursuant to 22 MRS §2498(3)(B), youth camp licensees must pay all collectible fines to the Department prior to license renewal.

7. No license granted by the Department may be transferred or assigned.
8. The issuance of the license does not provide exemption from other State or local laws, ordinances or regulations, notwithstanding any other provision of law.
9. Licenses erroneously issued by the Department are considered void and must be returned to the Department on demand, in accordance with 22 MRS § 2495.

SECTION 3. VARIANCES

- A. **Variances.** The Department may grant a variance by modifying or waiving the requirements of Department rules, if the Department determines that a serious health hazard will not result from the variance.
- B. **Documentation of Proposed Variance and Justification:** A youth camp seeking a variance of any provision of this rule is required to submit the following information, in support of the request.
 1. A statement of the proposed variance of the requirement of the rule, citing appropriate section numbers; and
 2. An analysis of the rationale for how the potential public health hazards and nuisances addressed by the rule will be alternatively addressed by the variance proposal.
- C. **Conformance with Approved Procedures.** If the Department grants a variance as specified, the licensee must meet the terms and conditions of the variance.
- D. **Violation of variance.**
 1. When a licensee does not maintain compliance with the terms of a Department-issued variance, then the Department voids the variance and may take enforcement action, in accordance with Section 5 of this rule to include assessing administrative fines and penalties, subject to appeal by the licensee, who may request an administrative hearing.
 2. Any variance will be considered null and void when any of the following events should occur:
 - a. Change of ownership;
 - b. Renovation; or
 - c. Failure to comply with said variance.

SECTION 4. INSPECTIONS

A. Right of Entry

1. Licensed Youth Camp. The Department and any duly designated officer or employee of the Department shall have the right to enter upon and into the premises of any licensed youth camp, without an administrative inspection warrant at any reasonable time, in order to determine the state of compliance with any rules in force, in accordance with 22 MRS §§2497 and 2667.
2. Unlicensed Youth Camp. The Department may enter and inspect any premises of an unlicensed youth camp with the permission of the owner or person in charge. In the event that a person in charge of the unlicensed youth camp denies access to the Department, the Department may secure access through an administrative search warrant or pursuant to such process as provided by law.

B. Frequency

1. In accordance with 22 MRS §§2497 and 2667, the Department will conduct an inspection to determine whether the youth camp and the food service is in regulatory compliance, in accordance with the provisions of this rule. Based on the result of these routine inspections, the Department may increase frequency for a youth camp and/or food service from every two years to annually, if a youth camp or food service fails a routine inspection.
2. The Department may, at its discretion, inspect or determine whether a youth camp is in regulatory compliance at even more frequent intervals than annual intervals, as necessary, to follow up on complaints or address other violations noted on previous inspections.
3. Youth camps that prepare and serve food to a highly susceptible population may be subject to increased inspection frequency, as determined by the Department.
4. Criteria for returning to standard, routine inspection frequency. The Department will return a youth camp to routine inspection frequency of every two years, when the youth camp has passed two consecutive inspections.

C. Inspection Report. The Inspection Report includes the date of the Department's inspection, the license type, the name of the youth camp licensee and licensee establishment ID, as well as findings, and signatures.

1. Department's Findings. The Department's findings are noted on the inspection report and may refer to the compliance history of a youth camp, including any prior violations and corrective actions required. The findings will identify violations by the following means:
 - a. Site inspection or complaint investigations, including but not limited to Section 6 of this rule;
 - b. Review of laboratory analyses or inspection reports; and/or
 - c. Complaints from the public or referred by other agencies.

2. Violations: This rule contains two categories of violations: Critical and Non-Critical.
 - a. Critical Violations: Critical violations are identified throughout this rule by the word *Critical*, written directly after that provision or within the heading of a category of requirements. Only one critical violation for each rule category will be cited even though there may be more than one requirement that is in violation within that category.
 - b. Non-Critical Violations: Any unmarked sections or subsections that do not denote *Critical* directly after that provision or for that section are deemed non-critical violations.

3. Department Notice to Youth Camp of Inspection Report Findings/Violations: The Inspector will document any violations of this rule observed during the inspection on the inspection report and provide a copy of the report to the person in charge of the youth camp at the time of the inspection.
 - a. The Department's inspector will ask the licensee or person in charge to sign the inspection report, acknowledging the receipt of the inspection report, findings and requirements.
 - b. Should the youth camp fail the inspection, the Inspector will inform the person in charge in writing of the failed inspection, the remedies to correct the violation(s) and deadlines for corrective action.
 - c. Refusal to sign: When a licensee or person in charge refuses to sign an acknowledgement of receipt of an inspection report, the Department will perform the following steps in response to the licensee or person in charge:
 - i. State that an acknowledgment of receipt does not constitute an agreement with the report findings;
 - ii. State that any refusal to sign an acknowledgment of receipt will not affect the licensee's obligation to correct the violations noted in the inspection report within the time frames specified;
 - iii. Explain that the refusal to sign an acknowledgment of receipt will be noted in the inspection report and added to the Department's historical record for the youth camp; and
 - iv. Make a final request for the licensee or person in charge to sign an acknowledgment receipt of inspection findings.

Should the licensee or person in charge continue to refuse to sign, the inspector will document the refusal upon the inspection report.

D. Inspection Failure: Should the youth camp fail the inspection, the Inspector will make every attempt to inform the person in charge in person but will follow up in writing to provide notice of the failed inspection, explain the remedies to correct the violation(s) and provide deadlines for corrective action.

1. A failed inspection occurs when a youth camp:

- a. Receives more than three (3) critical violations; or
 - b. Receives more than ten (10) non-critical violations.
2. Critical violations may be corrected while the inspector remains on site, but, in any event, must be corrected within 10 calendar days of the site visit. The licensee must contact the Department when the critical violation has been addressed.
 3. Non-critical violations must be corrected in a period to be determined by the Department, but no later than 30 calendar days after the inspection. The Department may approve a compliance schedule that extends beyond the time limits specified in this section, if a written schedule of compliance is submitted by the licensee and no health hazard exists or will result from allowing an extended schedule for compliance.
 4. Failure to correct these violations satisfactorily within the time periods set in Section 4(D)(2) and (3) above may result in enforcement proceedings by the Department as outlined in Section 5 of this rule.
 5. Any failed inspection requires the health inspector to follow up with a later inspection, to ensure that all violations were corrected by a specified deadline.

E. Imminent Health Hazards

1. A licensee must immediately discontinue those operations posing significant risk to public health and safety and notify the Department if an imminent health hazard (IHH) may exist because of an emergency, such as a fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, onset of an apparent food-borne illness outbreak, gross unsanitary occurrence or condition, pest infestation, or other circumstance that may endanger public health.
2. If any of the youth camp's areas of operation are discontinued, or the Department has issued an IHH, or a license is temporarily suspended, the licensee must obtain approval from the Department before resuming operations.
3. For those youth camps with conditions that pose an imminent health hazard where conditions are not corrected within the time set by the Department, then the Department may require suspension of a license, in accordance with the requirements of the *Maine Administrative Procedure Act* at 5 MRS §10003, on an ex parte basis, under 4 MRS §184.
4. Specialized food processes. In accordance with the *Maine Food Code* (10-144 CMR Ch. 200), youth camps that perform specialized food processes, including but not limited to, vacuum packaging, cook chill packaging, sous vide packaging, acidifying foods for preservation, fermenting of vegetables and curing foods, must develop and implement a hazard analysis critical control point (HACCP) plan prior to performing these processes. Some of these specialized processes may also require a variance. Because it is the licensee's responsibility to develop a HACCP plan, the licensee must contact the Department for guidance prior to performing any specialized processing.
 - a. Applicants for a variance must demonstrate an appropriate level of training and/or experience to process the product safely;

- b. The Department may mandate a HACCP training course, depending upon the licensee's knowledge, compliance history and experience with the specialized food processes they are performing;
- c. The development of a HACCP plan is the responsibility of the licensee; and
- d. The Department will review requests for, and issue, variances, on a case-by-case basis for specialized food processes.

SECTION 5. ENFORCEMENT

- A. Department Notice of Noncompliance for Violations.** When the Department has determined that a youth camp failed to comply with this rule within the time frames required by the inspection report or any other deadline set by the Department, it will notify the youth camp of the violation(s) in writing through a document called a Notice of Noncompliance (NON). The Department may deliver this NON directly on an inspection report or by a Letter of Enforcement, to inform the youth camp of a violation, an explanation of how the youth camp committed the violation and/or failed to comply, set a deadline for compliance, and then describe what may occur, if the youth camp fails to meet this next NON deadline.
- B. Sanctions for Failure to Comply with Department Notice of Noncompliance.** The Department is authorized to pursue and impose formal enforcement sanctions, including fines and referral to the Office of the Attorney General, whenever a youth camp fails to correct cited violations or fails to meet the compliance deadline(s) set by the Department, pursuant to Department statute (22 MRS Chapter 562 and 602) and rule (10-144 CMR Ch. 201 – the *Health Inspection Program Administration Rule*), in order to ensure compliance with this rule and protect public health.
- C. Temporary Suspension of License.** If a youth camp fails to comply with an imminent health hazard notice, the Department may immediately suspend a license temporarily and without administrative or court proceedings, pursuant to statute (5 MRS §10004).
- D. Appeals.** Pursuant to the Maine Administrative Procedure Act (5 MRS Ch. 375, Sub ch. IV), a youth camp licensee or applicant may appeal certain Department decisions related to licensure and penalties, as described in the Department's rule, the *Health Inspection Program Administration Rule* (10-144 CMR Ch. 201).

SECTION 6. COMPLAINTS AND REFERRALS

- A. Complaint Investigations of Youth Camp Rule Violations.** When the Department receives a complaint about a youth camp's facility or staffing conditions violating any health and safety standards of this rule, it follows specific steps to determine whether the allegations have merit. Campers, campers' relatives, counselors, employees, volunteers, or any other interested parties may file a complaint to the Department by completing a HIP Complaint Form online at, <https://me.accessgov.com/cdc/Forms/Page/healthinspection/hip-complaint-form/0> or calling the Department at (207) 287-5671 or 1-800-821-5821. Upon receipt of a complaint, the Department performs the following steps:
1. **Intake/Reviews:** When an individual (complainant) files a complaint, Department staff generally follow up with the complainant for additional details, unless the Department received the complaint anonymously. Prior to complaint intake, Department management will determine whether the alleged complaint violates this rule or any of the Department's applicable rules. If the alleged complaint would rise to a rule violation (if determined to be true), then Department management will complete its intake form and forward the information to the appropriate Department District Health Inspector for investigation.
 2. **Inspection:** If the Department determines that the complaint appears credible, then the Inspector will make every effort to inspect the youth camp within 30 days of this determination, to assess the complaint allegations. If an on-site inspection is necessary and a youth camp is also due for a routine license inspection, then the Inspector will perform a full inspection, to conserve time and resources for both the youth camp and the Department. The Inspector will share all details of the complaint and the findings, except for those details listed in Section 6B below, with the owner, director or person in charge.
 - a. **Conclusion of Complaint:** After the Department performs any complaint follow-up, the inspector will complete a complaint report to document whether the complaint was observed, along with any violations of applicable rules occurring at a youth camp. The Health Inspection Program will document any referrals to local municipalities or other agencies for follow-up.
 - b. The Department Inspector or designee will contact the youth camp's owner or director in writing with specific questions directed around compliance with this Rule to help protect campers from child abuse and neglect. These questions include inquiries regarding the youth camp's compliance with the following rule areas:
 - i. Staff training and hiring requirements;
 - ii. Child abuse and neglect policy development and training; and,
 - iii. Staff ratios and supervision.
- B. Confidentiality of Complainant and Child Abuse Investigations**
1. The Department is prohibited from sharing any information regarding the details of allegations of child abuse and neglect or investigations being conducted by the Department's OOH Team, in accordance with 22 MRS § 4008-A.
 2. Unless otherwise required by law, the Department will not provide a complainant's name or identifying information to the public.

SECTION 7. FACILITIES**A. Location.**

1. No person may operate a youth camp, unless that camp is located: *Critical*
 - a. Where a potable water supply and sewage facilities approved by the Local Plumbing Inspector can be provided;
 - b. Where traffic conditions create no undue safety hazards;
 - c. Where the grounds, building and sleeping areas are kept in a safe condition;
2. A youth camp must be located:
 - a. Where the grounds, building and sleeping areas are kept clean and free from accumulation of rubbish;
 - b. Where excessive dustiness in the central camp area is prevented by suitable means (i.e., hosing down the camp area with water or planting grass, etc.).

B. Buildings:

1. The Camp Director must only use or allow the use of buildings in a youth camp if they are structurally safe and meet the following conditions:
 - a. The building is adequate in size for the intended use;
 - b. The building is able to be kept clean; and
 - c. The building has a roof that is weather tight.
2. The Department will determine a youth camp to be in violation of this rule, if municipal officers or county commissioners find the building structurally unsafe, unstable or unsanitary, in accordance with Maine law at 17 MRS § 2851 (2-A). *Critical*
3. The Camp Director must provide the exterior openings in every enclosed building of the youth camp used for food preparation or food service and food storage with screens containing not less than 16 meshes per inch. Every screen door must be tight-fitting and equipped with a self-closing device.
4. The Camp Director must provide adequate lighting for the safe and sanitary use of each kitchen, dining room and infirmary.
5. The Camp Director must maintain the floors in all buildings used for sleeping, food preparation or food service, smooth, clean and free from chronic dampness. The Camp Director must keep the space under buildings between the ground and the buildings (i.e., crawlspace) free of unsafe and unsanitary obstructions.
6. The Camp Director must provide at least two accessible exits (including screened windows) on each floor, for buildings used for human habitation. *Critical*

7. Exits must be marked. *Critical*
8. The Camp Director is responsible for ensuring that all exits are free of obstruction. *Critical*
9. The Camp Director must maintain the structural elements of every building, including sleeping facilities, in good repair.
10. All youth camps must comply with the National Fire Protection Association, Life Safety Code, 2018 edition, for carbon monoxide and smoke detection, if applicable. *Critical*

C. Sleeping facilities for residential camps.

1. The operator must furnish a separate bunk or cot for each person sleeping at the camp. Beds must be set so that the path of travel between them is not less than 28 inches wide.
2. Triple-decked bunks are prohibited. *Critical*
3. Upper bunks must have appropriate protection to prevent occupants from accidentally rolling out of bed. *Critical*
4. The operator must arrange sleeping facilities so that no less than 40 square feet of floor space is provided for each person in dwellings.
5. Sleeping quarters in dwellings must be ventilated by openings to outer air equal to one-tenth (1/10) of the floor area.
6. Screens must be maintained in good repair.
7. Bedding and towels provided by the operator must be cleaned prior to each issue. *Critical*
8. Sheets, towels and pillowcases for same-person use, must be laundered at least once per week. *Critical*
9. Mattresses and covers must be kept clean and in good repair.
10. All cloth mattresses provided by the operator must have clean mattress covers.

D. Vector control.

1. Camps must take reasonable precautions to keep indoor facilities clear of rodents, insects, and other pests, which include ensuring that any screens are in good repair and any buildings are properly cleaned and maintained. *Critical*
2. The Department may require adequate measures for the control of arthropods, insects and rodents when it determines a public health hazard.
3. Only licensed commercial applicators may apply pesticides, in accordance with 22 MRS Chapter 258-A and Board of Pesticides Control Rules (01-026 CMR Chapters 10 - 90) (weed, insect, rodent or other pest controls such as Round Up, Ant cups, D-Con baits, etc.) in outdoor areas, common dining areas, sleeping quarters or other common areas. *Critical*

Exceptions for requiring a commercial applicator include the following:

- a. Non-powered applications (including aerosol spray) for the protection of the staff or campers to control stinging or biting insects e.g., bees, wasps and hornets;
- b. Non-powered application of disinfectants for routine cleaning purposes, e.g., bathrooms, and kitchens, etc.;
- c. Application of over-the-counter paints, stains or wood preservatives;
- d. Personal use of insect repellents; and/or
- e. When campers and staff are not permitted upon or within the treated area for at least seven days after the application.

E. Garbage and refuse.

1. The collection of all garbage and refuse must be conducted in a sanitary manner and as often as necessary.
2. Prior to disposal, all garbage and refuse containing food waste must be kept in leak-proof, non-absorbent, rust and corrosion resistant containers of adequate number, which must be kept covered with tight-fitting lids when not in use.
3. All garbage and rubbish must be disposed of frequently enough, and in such a manner as to prevent a nuisance.
4. Disposal of refuse must comply with State law.

SECTION 8. SANITARY FACILITIES**A. Toilet and shower facilities.**

1. All toilet facilities, including rooms and fixtures, must be smooth and easily cleanable.
2. Each toilet room must meet the following requirements:
 - a. All toilet and shower facilities must be kept in a clean and sanitary condition; and
 - b. All toilet and shower facilities must be maintained in good repair.
3. Any areas contaminated with effluent from a plumbing malfunction, sewage back-up, or body fluids must be cleaned and thoroughly disinfected immediately by a trained staff member. *Critical*
4. Outside doors must be self-closing.
5. Adequately screened ventilation or approved use of exhaust fans to the outside must be provided.
6. Clean receptacles must be provided for waste materials.
 - a. Waste receptacles for sanitary napkins must be covered.
7. Toilet seats must be provided. *Critical*
8. There must be adequate hand washing facilities adjacent to, and consistent with, the plumbing at the location of existing toilet facilities. *Critical*
9. All toilets, showers, bathtubs, and hand washing facilities in residential youth camps for campers and staff members must be reasonably accessible to all sleeping, dining and activity areas. Youth camp installation and updates to toilets, showers, bathtubs and hand washing facilities must meet applicable state and local plumbing regulations, in accordance with 30-A MRS § 4211. *Critical*
 - a. There must be at least two (2) toilets and two (2) lavatories for the first 15 campers. For each additional 15 campers, the camp must provide at least one additional toilet and one additional lavatory.
 - b. A ratio of one toilet and one lavatory for each 25 campers for day camps shall be required.
10. Showers or bathtubs must be in a ratio of 1 shower or bathtub per 20 campers.
11. Pit and chemical toilets facilities, if provided, must be screened or vented and equipped with toilet seats and lids.
12. Where hot water is provided, the temperature range must be between 100°F and 120°F. *Critical*

13. Day camps that do not have swimming pools are not required to provide showers or bathtubs.
14. Duckboards in showers are prohibited.
15. Adequate dry space and ventilation must be provided in common-use shower facilities.
16. All lavatories in youth camps where campers do not provide their own soap and individual towels, must be provided with a hand-cleaning agent and single-service towels. *Critical*
17. Common drinking containers or common towels are not allowed for use by employees, campers, or visitors. *Critical*

B. Water supply.

1. If the youth camp is defined as a transient non-community public water system and serves water from its own source (i.e., well, lake, pond) to at least 25 people for at least 60 days per year), then it must comply with the in the *Rules Relating to Drinking Water* (10-144 CMR Ch. 231).
2. Copies of water analyses must be posted with the Department license at the youth camp.
3. Youth camps not considered public water systems (i.e., *not* serving water to at least 25 people for at least 60 days per year) must comply with the following minimum water testing standards:
 - a. Camps using surface water from a lake or river for ware-washing and showering or for service in cooking and drinking must test the water by submitting samples to a Maine-accredited water testing laboratory. Camps using or serving surface water must test for total coliform bacteria and E. coli prior to opening for the season and once per month and for nitrates once per season and test for nitrites once every nine years. *Critical*
 - b. All water obtained from a surface water source, such as a lake or stream, must be filtered with an appropriate prefilter followed by a 1-micron filter and be chlorinated to achieve a chlorine residual after 30 minutes contact time of 0.25 ppm free chlorine or 1.0 ppm total chlorine. A written daily record of chlorine residual must be maintained. A bacteriological analysis and test for turbidity must be conducted monthly when the camp is in operation. Youth camp personnel must contact the Department immediately upon learning that a finished water turbidity measurement exceeds 5 NTU (Nephelometric Turbidity Units). *Critical*
 - c. Camps using or serving ground water from a well must test for total coliform bacteria, E. coli and nitrates prior to opening for the season. *Critical*
 - d. Additional samples may be required by the Department, if any samples are reported out of compliance.

C. Plumbing and sewage disposal.

All plumbing and sewage disposal must comply with all applicable laws, rules or ordinances.
Critical

SECTION 9. FOOD SERVICE

A. Food service.

1. Where food service is provided in a youth camp, the food service facilities and operations must comply with the *Maine Food Code* (10-144 CMR Ch. 200). Any Maine Food Code violation will be documented on the food service inspection report.
2. The person in charge (PIC) of the camp's food service is responsible for operating and maintaining the food service facility in a safe and sanitary condition and must be able to demonstrate knowledge of food safety in accordance with the *Maine Food Code* (10-144 CMR Ch. 200) and the *Health Inspection Program Administration Rule* (10-144 CMR Ch. 201).

SECTION 10. HEALTH SUPERVISION

A. **Infirmary.** A residential youth camp must provide an infirmary building that meets the following minimum standards:

1. The infirmary building is screened and protected from flies and other insects; *Critical*
2. A treatment area is included with a handwash lavatory equipped with hot and cold or warm-mixed running water; *Critical*
3. The handwash lavatory provides hot water with a temperature of at least 100°F, soap dispensed from a pump or mounted wall unit, and single-use paper towels mounted or otherwise individually dispensed;
4. Lockable storage areas for medications; *Critical*
5. A bathroom facility equipped with a toilet, lavatory and shower located in, or readily available to, the infirmary; *Critical*
 - a. Hot and cold running water from mixing faucets provided to the lavatory and shower.
 - b. The hot water temperature does not exceed 120 °F.
6. At least one bed is provided for every 50 persons attending the camp;
7. Beds are provided with clean sheets and pillowcases and changed whenever they are soiled, or whenever a patient is discharged; *Critical*
8. An isolation area is provided for patients with suspected or confirmed cases of communicable diseases; *Critical*
9. All floors and walls are kept clean and in good repair;
10. Ceilings are kept clean and free from dust and cobwebs;

11. Screens on doors and windows are maintained in good repair;
12. Day Camps provide an infirmary facility that is protected from flies and other insects and is to be used for the temporary isolation of the sick or injured; *Critical* Sections 10(A)(1) through 10 (A)(10) above do not apply to day camps.
13. There is a communication system capable of communicating with outside medical services and emergency contact information that is clearly posted; *Critical*
14. A stretcher or backboard, and other first aid equipment and supplies in accordance with the health care plan, is available on site; and *Critical*
15. All first aid kits are to be marked as such, stocked with the items deemed appropriate by the youth camp and placed at all program activity locations and other locations, as required by this rule, and accessible by the health supervisor or directing physician. *Critical*

B. Health Services.

1. There must be standing orders issued by a physician or nurse practitioner who is either licensed to practice in Maine or a physician temporarily licensed, pursuant to 32 MRS § 3277. The standing orders must include provisions for emergency first aid and medical care. The standing orders must be reviewed, signed and dated annually by the physician or nurse practitioner. *Critical*
2. A residential youth camp must have onsite one of the following Maine-licensed adult health supervisors: *Critical*
 - Physician (MD or DO);
 - Nurse Practitioner (NP);
 - Physician Assistant (PA);
 - Registered Nurse (RN);
 - Licensed Practical Nurse (LPN);
 - Emergency Medical Technician (EMT);
 - A person holding a Wilderness First Responder Certificate (WFR); or
 - An athletic trainer certified by the National Athletic Trainers' Association Board of Certification (NATABOC), with the appropriate level of training provided by the National Safety Council, or an equivalent certification approved by the Department.
 - a. If the only on-site health supervisor is a Licensed Practical Nurse, then there must be an arrangement with an off-site Registered Nurse for consultation on a 24-hour basis and a documented site visit at least once per week.
 - b. For day camps only, a person with the certification of Wilderness First Aid and Adult and Child CPR with a minimum of 22 hours training also satisfies this requirement.

- c. The health care supervisor must be qualified to provide services in the State of Maine.
 - d. An adult or adults with current certification from a NRCB in first aid, including training on bloodborne pathogens and certification from a NRCB in age-appropriate cardiopulmonary resuscitation (CPR) that includes the use of breathing devices, must be readily accessible to all activity areas.
3. Except as provided in Section 10(B)(4), all medications brought to camp by campers and staff housed with campers, must be securely locked after use. *Critical*
 - a. Schedule II drugs and medical cannabis prescribed to campers and staff must be stored under double lock or in the immediate possession of the health supervisor or the person specifically designated by such supervisor after use. The double lock must be a locked compartment inside of a locked cabinet.
4. Per 22 MRS § 2496 (2), a youth camp must have a written policy authorizing campers to self-administer emergency medication, including, but not limited to, an asthma inhaler or an epinephrine autoinjector (defined at 22 MRS § 2150-F (3)) to self-administer such medication, provided the following requirements are met: *Critical*
 - a. A camper who self-administers emergency medication must have the prior written approval of the camper's primary health care provider and the camper's parent or guardian;
 - b. The camper's parent or guardian must submit written verification to the youth camp from the camper's primary health care provider confirming that the camper has the knowledge and the skills to safely self-administer the emergency medication in camp;
 - c. The documentation referred to in Sections 10(B)(4)(a) and 10(B)(4)(b) above must be kept with the health history of the individual and be available for review by the Department upon request; and
 - d. The youth camp health staff must evaluate the camper's technique to ensure proper and effective use of the emergency medication in the youth camp setting.
5. A written or electronic treatment log for all campers and staff must be kept and made available to the Department upon request. *Critical*
 - a. The log must contain the following:
 - i. The name of each person receiving treatment;
 - ii. The ailment being treated;
 - iii. The medication and dosage administered;
 - iv. The name of the person providing treatment; and
 - v. The date and time of treatment.

6. A written record of medical treatment, including medications dispensed to campers or staff while away from youth camp on a youth-camp-sponsored trip or outing, must be submitted to the health care supervisor by the trip leader upon return to the youth camp. Information from this record must be transferred to the treatment log and be made available for review by the Department, upon request. The original record must be kept by the health care supervisor for a minimum of three years and be made available for review by the Department upon request.
7. The health histories of each camper and staff member must be kept and made available for review by the Department upon request. *Critical*

Health histories must include the following:

- a. List of any pertinent past and/or current health conditions requiring medication, treatment, or special restrictions while at camp;
 - b. A record of immunizations, if applicable. The record of any immunizations must include the date of last tetanus shot, and available information concerning age specific vaccinations consistent with the sample immunization form, which is available at <https://www.immunize.org/catg.d/p2022.pdf>. If a camper is not immunized and, therefore, presents no history of immunizations, then this immunization status must be documented;
 - c. A list of known allergies; and
 - d. A consent and information form for preventative health care and treatment signed by the parent or guardian.
8. First aid kits, as well as any applicable medications prescribed to campers, including but not limited to inhalers, must be packed for all out-of-camp trips. *Critical*
 9. Emergency transportation must be available at all times. *Critical*
 10. Sections 10(B)(1) to 10(B)(7), do not apply to a youth camp or an individual whose religious beliefs prohibit or restrict medical attention, nor shall any part of this rule be construed to compel any person, either on behalf of himself or his child or ward, to submit to any physical examination, if such persons or beliefs are in conflict with these practices.

C. Diseases and Conditions reportable/notifiable.

1. Within 72 hours of any of the reportable diseases or conditions sustained by a camper or staff member and listed in this section, the camp operator or designee must report such disease or condition directly to the Department's Health Inspection Program, using the Reportable Diseases and Conditions form, located at:

<https://www.maine.gov/dhhs/mecdc/environmental-health/el/site-files/forms/Reportable%20Conditions%202024.pdf>.

Completed forms must be either faxed to 207-287-3165 or emailed to the email address provided at the bottom of the form. Reportable diseases and conditions include the following:

- a. Injuries causing unconsciousness or fracture or break of a bone that necessitates hospitalization for 12 hours or more, requiring suturing; or head, neck, spinal cord injuries or injuries of equivalent severity;
 - b. Carnivorous animal bite wounds;
 - c. Epidemic illnesses involving two or more persons, including but not limited to food poisoning, suspect food infection, or food intoxication;
 - d. Any illness causing muscle paralysis or weakness, unconsciousness, or loss of hearing; and/or
 - e. Any unexpected occurrence involving serious physical illness or injury that results in the death or near death of any camper, employee or visitor to the camp.
2. In addition, the youth camp operator must report to the Department of Health and Human Services, Maine Center for Disease Control and Prevention's Division of Disease Surveillance, any "Notifiable Disease or Condition" listed in the *Control of Notifiable Diseases and Conditions Rule* (10-144 CMR Ch. 258) in the timeframe specified in the Notifiable Diseases and Conditions Rule. *Critical*
 3. All reports made to the Department of Health and Human Services must include a description of how, and under what circumstances, the reportable disease or condition occurred, to explain how the illness or injury happened.

SECTION 11. GENERAL STAFF REQUIREMENTS

A. Staff requirements

The camp director must be at least 25 years of age, except that a director of a day camp must be at least 21 years of age. The camp director must provide documentation of 16 weeks of administrative or supervisory experience in an organized camp. *Critical*

B. Employee Screening and Selection

1. The camp director or designee must select staff, conduct orientation, training, and supervising procedures in a way that promotes the employment of emotionally well adjusted, mature, and responsible counselors. *Critical*
2. The camp director or designee must employ the following precautions during the employment screening and selection process: *Critical*
 - a. Using and reviewing a written employment application form that requires the applicant to provide the following information:
 - i. Name, address, telephone number;
 - ii. Employment history;
 - iii. Name and contact information of three references;

- iv. Sexual criminal history if applicable; and
 - v. Permission for a criminal background check.
- b. A background check must be completed on all staff annually, including but not limited to counselors, volunteers and directors.
3. Components of a comprehensive background check:
- a. National Sex Offender Registry (NSOR)
 - b. A State-level criminal records check for the current State of residence to include:
 - i. State criminal records that are available;
 - ii. State sex offender registry; and
 - iii. County level records check in states where records are held at the county level;
 - c. A records check to include verification of a Social Security number (SSN) and confirmation of address/location of the last five years of residency.
 - d. For non-resident international staff: Record of determination that the Visa Sponsor Organization is performing an appropriate check where the individual resides.

C. Ineligible for Employment: Any of the following results during a background check will prevent an individual from working at the youth camp:

- 1. Registration on a state or national sex offender registry or information that the individual is required to be listed on such a registry. Sex offenders are prohibited from licensed youth camps, due to youth camps being a sex offender restricted zone, in accordance with 17-A MRS § 261 (4);
- 2. Felony conviction for any of the following crimes:
 - a. Murder;
 - b. Child abuse or neglect;
 - c. Any crime against children, including but not limited to child pornography.
- 3. An individual will be determined ineligible if they refuse to consent to a background check or knowingly make materially false statements in connection with such a background check.
- 4. Any documentation prepared in accordance with Sections 11(B)(2)(a) (c) must be available for review by the Department upon request.

D. Prohibition of Abuse, Neglect, Bullying or Hazing

1. Abuse and neglect, as defined in 22 MRS § 4002(1) and Section 1(B) of this rule, is prohibited at a youth camp. Camp directors and staff are responsible for following camp policies, in accordance with Section 11(E) below.
2. All youth camp staff must report any suspected or confirmed abuse or neglect of campers within 24 hours to the Camp Director.

The Camp Director, in accordance with 22 MRS § 4011-A, must report these allegations within 24 hours to the Department of Health and Human Services, Office of Child and Family Services, Children's Licensing and Investigation Services Programs, Out of Home Investigations, at 1-800-452-1999. If the caller is deaf or hard of hearing, the reporter must call 711 (Maine Relay). *Critical*

3. Staff are prohibited from hazing campers. Hazing is defined in Section 1(B) of this rule. Camp Directors and staff are responsible for following camp policies that prevent hazing and explain how staff should respond to and report hazing incidents to the Camp Director. *Critical*
4. Staff are prohibited from bullying campers. Bullying is defined in Section 1(B) of this rule. Camp Directors and staff are responsible for following camp policies that prevent bullying and explain how staff should respond to and report bullying incidents to the Camp Director. *Critical*

E. Staff orientation and training

1. The Camp Director or designee must document completion of staff orientation/training, maintain records and provide any such records, as required in Section 11(E)(3), to the Department upon request.
2. A youth camp must have a written statement of personnel policies and practices. Staff must be informed of these policies and practices and of their specific duties.
3. Staff orientation and training must include verbal or printed informational materials and/or instructions regarding policies that include but are not limited to the following topics:
 - a. Personnel policies and practices; job description and responsibilities; disciplinary action policies; sexual harassment policies.
 - b. Child abuse and neglect policies, as specified in Section 11(E)(4) of this rule; *Critical*
 - c. Hazing and bullying policies, which may be included in the required child abuse and neglect policies; *Critical*
 - d. Emergency first aid procedures; *Critical*
 - e. Emergency response procedures, as specified under Sections 13(A)(1)(a) and 13(A)(1)(c) of this rule; and *Critical*
 - f. Completion of mandated reporter training for staff, in accordance with 22 MRS § 4011-A (9).

4. Policies for Prevention and Reporting of Abuse and Neglect
 - a. Every youth camp licensed by the Department must establish and maintain a written policy regarding child abuse and neglect, in accordance with 22 MRS § 4010-A, which requires the following areas: *Critical*
 - i. A description of how the program and campers are managed to prevent abuse or neglect;
 - ii. The reporting of suspected abuse or neglect or other violations to the appropriate designated authorities;
 - iii. The youth camp's course of action if allegations of abuse or neglect are made against the youth camp or its staff; and
 - iv. The youth camp's grievance procedures for staff and for campers and their parents or guardians regarding alleged abuse or neglect.
 - b. Each youth camp must submit a copy of the required child abuse and neglect policy with its licensing application or renewal (if one was not submitted at the time of initial licensure), to the Department, in accordance with Section 2(B)(7) of this rule and 22 MRS § 4010-A.
 - c. If the Department receives a complaint of child abuse or neglect at the youth camp and no record of such policy is on file with the Department, the Department will require a copy of the child abuse and neglect policy during its follow-up investigation.
5. Policies for Prevention and Reporting of Hazing and Bullying
 - a. All youth camps must establish and maintain a written policy which establishes that hazing and bullying on youth camp premises or at any activity organized by the youth camp, by any staff member, is prohibited. *Critical*
 - b. These hazing and bullying policies must include a protocol for campers and staff to respond to and report incidents of staff hazing or bullying.

F. Staff Certifications and Program Ratios

1. The Camp Director, operator or designee must maintain either paper or electronic copies of all current staff certifications and other qualifications in the camp office.
2. At least 80% of the counselors and program staff required to meet the ratios in Section 9(F)(4) must be at least 18 years of age. This section does not apply to day camps.
3. All counselors in training, counselors and program staff required to meet the ratios in Section 9(F)(4) who are under 18 years of age, must be at least two years older than the camper group with which they are working, but under no circumstance may be less than 15 years of age.

4. In addition to the appropriate instructor(s), the following ratios of counselors to campers must be maintained: *Critical*

Ages Served	Counselor	to	Camper
6 years and under	1	to	5
7-8 years	1	to	6
9-14 years	1	to	8
15-18 years	1	to	10

SECTION 12. PROGRAMS AND PROGRAM STAFF REQUIREMENTS

A. General Programs

1. The instructor in charge of a program including those listed below must be a responsible adult with verified skills and demonstrated teaching competency specific to the activity. *Critical*
2. Staff must document at time of review any required safety checks described in this section and at a frequency documented and in accordance with established guidelines for that program. Minimal elements of such documents may include the following:
 - a. Safety-related elements of the program listed in a checklist format;
 - b. Initials or Signatures, indicating the youth camp staff who documented the safety check; and
 - c. Date and time field for the checklist.
3. Public nudity outside of designated living/bathing/changing spaces is not permitted at any time. *Critical*
 - a. The camp director must make reasonable accommodation for campers who request privacy when changing into clothing, which includes pajamas or swimwear.

B. Aquatics Program

Aquatics include but are not limited to the activities listed in this subsection.

1. All docks, floats and other aquatic activity areas must be maintained in good repair to avoid the risk of injury. *Critical*
2. The aquatics director must be in charge and oversee all aspects of the aquatics program and must be at least 21 years of age and hold or have evidence of having held within the last five years one of the following certifications:
 - a. Lifeguard training from a NRCB; or
 - b. Swim Instructor certification from a NRCB; or

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- c. Instructor or Instructor Trainer rating from a NRCB; or
 - d. Equivalent certification.
3. When aquatic activities are occurring, at least one lifeguard must be present on the waterfront and readily accessible to each activity area. *Critical*
4. Swimming
- a. The construction, modification, maintenance and operation of any pool or spa in a youth camp must comply with the *Rules Relating to Public Swimming Pools and Spas* (10-144 CMR Ch. 202).
 - b. All designated swimming areas at the youth camp must be clearly marked. *Critical*
 - c. Any person who wishes to go swimming must be classified according to ability in swimming and must be supervised according to this classification. *Critical*
 - d. A system of checking persons in and out of the water for swimming must be used. *Critical*
 - e. Swimming after dark is prohibited unless adequate artificial lighting is provided. *Critical*
 - f. All swimming areas must be provided with at least one lifesaving device positioned to be readily accessible to all swimming areas. *Critical*
 - g. The life-saving equipment must be kept in good working order. *Critical*
 - h. Swimming rules must be posted on the waterfront.
5. Swimming staff
- a. At least one adult swimming instructor must be present for instructional swimming activities. A swim instructor must have swim instructor or swim instructor trainer certification from a NRCB or equivalent certification. Additional swim instructors may be non-certified instructional assistants who are under the immediate supervision and direction of the certified instructor and have demonstrated elementary rescue skills. *Critical*
 - b. For all instructional swimming there must be swim instructors in a ratio to participants appropriate to the conditions under which swim instruction occurs. *Critical*
 - c. For all swimming activities on the premises of the youth camp, a lifeguard must be on duty in addition to at least one staff person acting as a lookout for every 20 persons in the water. For all swimming activities off premises at a body of water without a lifeguard on duty, the youth camp must provide at least one lifeguard or one staff member with specialized certification as appropriate to that activity and, in addition, must provide at least one staff person as a lookout for every 20 persons in the water. *Critical*

6. Watercraft

- a. All watercraft activities must have a properly operating and suitably equipped rescue boat located to promptly respond to emergencies. *Critical*
- b. All watercraft available for use in watercraft activities must be maintained in good repair and in operable condition. *Critical*
- c. All watercraft must be equipped with one wearable type I, II or III personal flotation device (PFD) for each person in the boat. Campers must wear PFDs at all times while in watercraft, except as specified under Maine Department of Inland Fisheries and Wildlife *Watercraft Rules* (09-137 CMR Ch. 13). *Critical*
- d. All watercraft with an electric starting gasoline motor must be equipped with a B-1 hand portable fire extinguisher. *Critical*
- e. All motorized watercraft must be equipped with a throwable type, Coast Guard approved PFD (Personal Flotation Device). *Critical*
- f. Watercraft rules must be posted at boating areas.
- g. Camps with watercraft programs must instruct all watercraft program participants including staff and campers in Maine basic boating laws. *Critical*

7. Watercraft staff

- a. The watercraft director must be an adult who holds one of the following: *Critical*
 - i. Instructor rating in the appropriate craft from a NRCB; or
 - ii. Lifeguard training from a NRCB; or
 - iii. Other appropriate certification or license; or
 - iv. Other appropriate documented training or experience.
- b. All persons instructing watercraft activities must be evaluated by the aquatics director or designee to determine qualification to be an instructor for the watercraft activities conducted. *Critical*
- c. Each watercraft activity within camp and during trips away from camp must be supervised by one or more qualified watercraft staff, in addition to the number of counselors specified in 10(F)(4), appropriate to the conditions under which watercraft activities occur. *Critical*

8. Motorized watercraft operators

All persons who operate motorized watercraft must have knowledge of Maine boating laws, which are summarized in the Boater's Guide to Maine Boating Laws and Responsibilities, developed by Maine Department of Inland Fisheries and Wildlife and the Maine Department of Marine Resources at <https://www.maine.gov/ifw/docs/maine-boating-laws.pdf>. *Critical*

9. Scuba diving

Any scuba diving instructor must be an adult and have a current SCUBA Instructor rating from a NRCB. *Critical*

C. Adventure challenge programs (e.g., climbing, rappelling and ropes courses)

1. Adventure challenge programs. Youth camps must demonstrate an understanding and familiarity with current safety standards for any applicable adventure challenge program conducted on site.

- a. Prior to the seasonal operation of an adventure challenge course, the youth camp must assess all course elements including all hardware, materials and equipment for safety and integrity. *Critical*
 - i. Camps operating adventure challenge courses containing both low and high or just high elements must have an annual inspection of all course elements by qualified personnel for integrity of all hardware, materials and equipment.
 - ii. Camps with courses containing only low elements must have a biennial inspection of all course elements by qualified personnel for integrity of all hardware, materials and equipment.
 - iii. The inspection must include a written report detailing the condition of all equipment, materials and hardware and the corrective action and/or the corrective action plan taken by the camp.
- b. The Camp Director, operator or designee must retain written records for the maintenance of equipment and elements utilized in the Adventure Challenge program, in accordance with the corrective actions taken and/or the corrective action plan. *Critical*
- c. The adventure challenge staff must assess the safety of all course elements (i.e., climbing equipment) prior to each use. *Critical*
- d. Adventure challenge rules must be posted at each adventure challenge area.
- e. Any person engaging in adventure challenge activities must wear appropriate personal protective equipment (PPE) in accordance with protocols for that activity. *Critical*

2. Adventure challenge staff

- a. The adventure challenge director must be an adult with documented training and/or experience appropriate to the program elements in adventure challenge activities. *Critical*
- b. The operator or designee must evaluate the qualifications of all persons instructing adventure challenge activities. *Critical*

- c. The adventure challenge director or an adventure challenge instructor must be present whenever campers are performing adventure challenge activities. This person must be an adult when high elements are in use. *Critical*

D. Equestrian

1. Equestrian facilities
 - a. Stables, corrals, paddocks and riding rings must be clean, dry, free from standing water or an accumulation of manure and include an adequate supply of fresh water.
 - b. Manure removed from stables, corrals, paddocks or riding rings must not be stored within 300 feet of a potable water supply, sleeping, eating facilities, or bodies of water. *Critical*
 - c. All self-watering water troughs without an air gap must be equipped with backflow prevention. *Critical*
2. Equestrian program
 - a. Access to stables, corrals, paddocks and riding rings must be controlled.
 - b. Riding equipment must be maintained in good repair. *Critical*
 - c. Riders must be assessed for rider skill level and assigned to appropriate horses, equipment and activities. *Critical*
 - d. Riders must wear appropriate apparel, suitable for the specific equestrian activity, which may include helmets, boots or shoes and long pants.
 - e. Riding regulations must be posted at each equestrian area.
 - f. Equestrian staff must assess the health and soundness of each horse daily. Lameness may not be ridden. Horses must receive proper care and treatment. *Critical*
3. Equestrian staff
 - a. The equestrian director must be an adult and hold at least one of the following: *Critical*
 - i. Certification as an instructor from a NRCB or riding school; or
 - ii. Documented endorsements of successful experience in formal horseback riding instruction.
 - b. The Camp Director, operator or designee must evaluate the qualifications of all persons instructing equestrian activities. *Critical*

E. Target sports

1. Target sports program.

- a. Firearms, ammunition, archery equipment and other hazardous weapons must be kept in locked compartments when not in use. *Critical*
 - b. Firearms and ammunition must be stored in separate double-locked compartments and must be stored separately from other hazardous materials. *Critical*
 - c. Target sport activity locations must be designed to prevent danger from fired bullets or arrows and maintained in a safe condition. *Critical*
 - d. Target sport regulations must be posted at each separate target sport location.
 - e. Staff must ensure that all target sport equipment is in good repair prior to each use. *Critical*
 - f. Any person engaging in target sport activities must wear personal protective equipment (PPE) appropriate for that activity including, but not limited to, PPE for arms, ears and eyes. *Critical*
2. Target sport staff
- a. The riflery or shotgun director must be an adult and have certification from a NRCB or other documented training or experience. *Critical*
 - b. The archery director must be an adult and have certification from a NRCB or other documented training or experience. *Critical*
 - c. The Camp Director, operator or designee must evaluate the qualifications of all persons instructing target sports. *Critical*
 - d. Adult target sport instructors must be present whenever ranges are in use. *Critical*

F. Trip camping

1. Primitive facilities.
 - a. Primitive facilities must be operated so as to meet basic safety and public health requirements. *Critical*
 - b. Toilets. Primitive facilities and primitive camp sites not provided with privies should use the most environmentally appropriate method of disposing of solid human waste such as packing it out or cat hole disposal. Any disposal area must be located at least 100 feet from any stream, lake, well, spring, or wetland and must be at least 50 feet from any sleeping area. *Critical*
 - c. Water supply. Drinking water used on trips away from camp, must be known to be safe or made safe before using. *Critical*
 - d. Any of the following methods may be used for water purification. Each method must be performed in accordance with the appropriate protocols: *Critical*
 - i. NSF 60 certified drinking water purification tablets;

- ii. NSF 60 certified sodium hypochlorite (bleach) preparation (or EPA registered bleach for emergency disinfection of drinking water);
 - iii. Boiling water for 10 minutes at a rolling boil;
 - iv. Filter water with a filter capable of removing bacteria and viruses; or
 - v. Equivalent method meeting State of Maine disinfection standards for safe drinking water.
- e. Solid waste. At primitive facilities and primitive camp sites, all refuse must be packed out to appropriate disposal facilities. No refuse may be buried. *Critical*
- f. Food. Only those foods capable of being maintained in a wholesome condition at proper temperatures with the equipment available may be served on trips away from camp. *Critical*
- g. The trip leader must demonstrate knowledge of safe food handling practices and prevent cross contamination in accordance with Appendix A. The trip leader must be responsible for ensuring all food is handled properly. *Critical*
- h. Utensils and equipment must be washed in warm water with soap, rinsed, and sanitized by one of the following methods: *Critical*
- i. In boiling water;
 - ii. In a warm chlorine solution that has between 50 and 100 ppm available chlorine;
 - iii. In a warm Quaternary Ammonium Compound solution used in accordance with the manufacturer's instructions; or
 - iv. By use of other sanitizing solutions listed in the *Maine Food Code* (10-144 CMR Ch. 200).
2. Safety.
- a. Guidance and supervision must be provided for those campers using the primitive facilities. The experience of each camper must be evaluated prior to trip camping. *Critical*
 - b. The trip staff members must have specific information and training on how and where to obtain medical and emergency assistance on the trip. *Critical*
 - c. Staff must know how to protect themselves and campers from the elements with proper shelters and appropriate clothing while trip camping.
 - d. The itinerary for trip camping must be filed with the Camp Director, operator or designee. *Critical*
 - e. Copies of health records must be taken on trip camping. *Critical*

- f. The trip leader must keep a written record of medical treatments including medications dispensed during trip camping. *Critical*
 - g. A first aid kit, as well as any required medications for campers, as specified in Sections 8(A)(13) and 8(B)(7), must be packed and brought on trip camping. *Critical*
3. Trip camping staff. *Critical*
- a. The trip camping leader must be an adult and possess and use skills in trip camping, have experience as a trip counselor, and exercise sound judgment and leadership. The trip leader must possess general knowledge and experience of waterways, portage and hiking trails and a general understanding of any hazards associated with such environments.
 - b. The trip camping leader must have a valid Youth Camp Trip Leader Permit, if required by the State of Maine Department of Inland Fisheries and Wildlife.
 - c. At least one staff holding a valid wilderness first aid certificate or equivalent NRCB training must be present on all wilderness trip camping.
 - d. In addition to the trip camp leader, a minimum ratio of one staff member to six campers must accompany campers on trip camping.

G. Farm Animal Activities

- 1. Farm animal facilities must be familiar with basic safety and public health requirements which include the most recent version of *The Compendium of Measures to Prevent Disease Associated with Animals in Public Settings*, at: <https://www.nasphv.org/Documents/AnimalsInPublicSettings2023.pdf>
- 2. Animal Care and Handling *Critical*
 - a. In order to prevent potential fecal-to-oral contamination, footwear by campers and staff near farm animals must be free of any visible contamination when leaving the farm animal area. Campers and staff are required to clean and/or change clothing if visible fecal contamination is present on boots or clothing.
 - b. Campers and staff must practice proper hand hygiene, including washing hands immediately upon exit of the animal area and before any hand-to-mouth activity or eating.
 - c. Animals showing signs of illness are not appropriate for camper interaction.
- 3. Campers' Access to Barns and Stables
 - a. Barns and stables may not be used as sleeping quarters for campers at licensed youth camps.
 - b. Campers' access to barns, stables, corrals and paddocks must be supervised by staff.
- 4. Farm Animals in Eating Areas and Food Code Compliance. *Critical*

- a. Farm animals are prohibited from camper eating areas. A fence or other effective barrier to preclude farm animals from accessing camper eating areas is required.
 - b. Youth campers may not consume raw milk, raw cider, or other unpasteurized products, including butter and cheese, in accordance with the *Maine Food Code 10-144 CMR Ch 200*.
5. Youth Camp Food Storage and Consumption in Barns and Stables
- a. Storage of food intended for youth camp meals or snacks is not permitted in barns or stables or in any area where farm animals have access.
 - b. Food and beverages other than beverages consumed in water bottles, must not be consumed by campers and youth camp staff in designated animal areas.
6. Recreational water activities including, but not limited to, slip and slides and sprinklers must be supplied from a potable water source. *Critical*
7. Boots must be cleaned from any visible fecal matter or debris before leaving the designated animal area.

H. Other Activities

1. Other activities that may occur at youth camps include, but are not limited to, carpentry, cooking classes, gymnastics, glass blowing and whittling. The following requirements apply:
 - a. Personal protective equipment (PPE) appropriate to the activity must be provided, in accordance with applicable industry standards; *Critical*
 - b. Staff must assess the safety of all equipment/PPE prior to each use, in accordance with applicable industry standards; and *Critical*
 - c. Safety instructions or rules must be posted or provided in each activity area.
2. Program Staff
 - a. The leader overseeing or teaching an activity must be an adult and have certification if needed in the activity being performed or demonstrate other documented training or experience. *Critical*
 - b. The Camp Director, operator or designee must evaluate the qualifications of all persons instructing these activities, to ensure proper safety. *Critical*
 - c. Adult instructors must be present and directly observing the activity, whenever campers or staff are participating in the activity. *Critical*

SECTION 13. SAFETY PLANS AND DISASTER PREVENTION**A. Administration of Disaster Safety Plans, Drills and Protocols.**

1. The operator must have an emergency plan in place that addresses communication protocol and response to possible disasters, such as fire, weather, and other potentially life-threatening events, such as injured or missing campers or intruders or trespassers at the camp; *Critical*
2. Emergency communication protocols must specify an appropriate mode of communication for the situation or event and locale, and address coordination between trained responders, camp staff and affected individuals. *Critical*
3. Emergency response protocols must include active shooter emergency response protocols. *Critical*
4. The operator or designee must instruct campers and staff in these procedures and must conduct and document at least one drill during each camp session. The type of drill is determined by the camp director or designee. *Critical*

B. Emergency Disaster Prevention Plans

1. The operator or designee must maintain a copy of this emergency/disaster prevention plan at the camp office. *Critical*
2. The written policy must direct that each camper may only be released from camp into the custody of a designated person, previously identified in writing, who may include the camper's parent, guardian, or other person(s) specifically identified by the parent or guardian. *Critical*

C. Rabies Vaccination Documentation Requirement. All warm-blooded animals required to be vaccinated for rabies kept in the camp must show proof of current rabies vaccinations. Documentation of vaccination must be maintained at the camp office. *Critical***D. Dangerous Substance Labeling Requirement.** All portable containers for gasoline and all explosives must be plainly marked and stored in a locked building not occupied by campers or staff and located at a safe distance from other buildings. Non-portable containers of flammable liquids and poisonous substances, if not kept in a locked building, must be plainly marked and provided with locks on spigots and other outlets. *Critical*

1. Easily accessible fire extinguishers must be strategically located throughout the camp. *Critical*
2. All containers of insecticides, disinfectants, and other hazardous chemicals must be labeled with contents and stored in a locked closet or compartment separate from food storage areas and inaccessible to campers. *Critical*

SECTION 14. TRANSPORTATION**A. Administration.**

1. The Camp Director, operator or designee must keep on file copies of the driver's license for any individual who operates a camp vehicle.
2. Drivers of vehicles carrying campers must be at least 21 years of age and be approved by the camp's auto liability insurer's agent. *Critical*
3. The Camp Director, operator or designee must ascertain each driver's ability and skill level with regard to the type of vehicle to be driven. *Critical*

B. Vehicles.

1. Vehicles used for the transportation of campers, and all other camp vehicles must conform to the requirements of the Maine Department of Motor Vehicles. *Critical*
2. Before transporting campers, camp vehicles must be inspected for safety. The inspection must verify and document the safe condition of the following: *Critical*
 - a. All exterior lights;
 - b. Horn;
 - c. Brakes;
 - d. Fire Extinguisher;
 - e. First aid kit;
 - f. Seat belts; and
 - g. Tires.

C. Vehicle-related safety practices. *Critical*

1. Youth camps must ensure the following when transporting or making provisions for the transportation of campers:
 - a. Campers must not be left unattended in a vehicle.
 - b. Campers must only enter and exit a vehicle stopped on a public road from the curbside.
 - c. The interior and exterior of each vehicle must be maintained in a clean and safe condition with clear passage to regular passenger doors.
 - d. Each vehicle used to transport campers must be maintained in accordance with federal safety standards upon manufacture.
 - e. All occupants must be secured by an operable restraint system as required by law, when the vehicle is in motion.

- f. The driver must not transport more persons than specified by the vehicle manufacturer.
- g. All passengers must be seated and must remain seated whenever the vehicle is in motion.
- h. In addition to the driver, another adult staff person must be present in any vehicle transporting 15 or more campers and must be appropriate to the number and age of the campers and the nature and duration of the trip.
- i. The driver must check the vehicle after each run is complete to ensure that no campers remain in the vehicle.
- j. A first aid kit, as specified in Section 8(A)(13), must be available in all vehicles.
- k. All vehicles must be equipped with a B-1 hand portable fire extinguisher.
- l. While transporting campers, each vehicle must contain a working cell phone, satellite phone, or two-way radio.
- m. The operator or designee must instruct drivers and staff how to perform emergency evacuation drills from buses and vans at least once during each camp season.

D. Vehicle insurance.

Any youth camp, person, or agency providing transportation for campers must maintain motor vehicle insurance for bodily injury or death in accordance with the requirements of the Maine Secretary of State. *Critical*

E. Record keeping.

The camp must maintain a written record of compliance with the requirements in Sections 14(B)(2) and 14(C)(1)(m) above.

STATUTORY AUTHORITY AND HISTORY

STATUTORY AUTHORITY: 22 MRS §§ 2496 to 2664

EFFECTIVE DATE: April 17, 1974

AMENDED: January 27, 1977
 July 1, 1985
 April 23, 1990

EFFECTIVE DATE (ELECTRONIC CONVERSION): May 5, 1996

AMENDED: May 21, 2000
 October 31, 2007 – filing 2007-454
 May 13, 2025 – filing 2025-###

APPENDIX

RESOURCES:

Maine Statutes referred to in this rule:

22 MRS § Ch 562- Eating Establishments, Lodging Places, Campgrounds, Recreational and Sporting Camps, Youth Camps, Public Pools and Public Spas
 22 MRS § 4010-A Child Abuse Policies
 22 MRS § 4011-A Reporting of Suspected Abuse or Neglect

Maine Rules referred to in this rule: <https://www.maine.gov/sos/cec/rules>

10-144 CMR Ch. 200 Maine Food Code

10-144 CMR Ch. 201 Health Inspection Program Administrative Rule

10-144 CMR Ch. 202 Rules Relating to Public Swimming Pools and Spas

10-144 CMR Ch. 231 Rules Relating to Drinking Water

10-144 CMR Ch. 241 Subsurface Wastewater Disposal Rule

10-144 CMR Ch. 258 Control of Notifiable Diseases and Conditions Rule

Refer to Appendix A of Chapter 258 for the Notifiable Diseases and Conditions List

01-026 CMR Chapters 10 – 90 Board of Pesticide Control Rules

Board of Pesticide Control:

Information regarding exam preparation and licensing requirements is available at The Board of Pesticides Control web site www.maine.gov/agriculture/pesticides or by calling 207-287-2731.

02-373 CMR Ch. 1 Maine Board of Licensure Rule

Maine Boating Laws:

<https://www.maine.gov/ifw/docs/maine-boating-laws.pdf>

Information On Rabies and Animal Testing:

Additional information and resources can be found on the DHHS Maine CDC website:

<https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/zoonotic/rabies/index.shtml>

Sample Immunization Record:

Downloadable PDF versions of sample immunization records are available from the Immunization Action Coalition website at:

<https://www.immunize.org/catg.d/p2022.pdf>