

What to Do If an Auditor Visits Your Childcare Program



**Prepared by Childcare Providers Association of Michigan ©2026
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An unexpected visit from an auditor, investigator, licensing consultant, or other state representative can feel intimidating. The most important thing is to stay calm, verify who is visiting, understand what they are requesting, and avoid making rushed decisions.

The following guidance reflects information shared during CPAOM's October 2026 Provider Roundtable with attorney Anthony "Tony" Dalimonte of Foster Swift. It is intended to help providers prepare for an unexpected visit and understand practical steps they can take to protect their program.

1. Verify Who Is at Your Door

Before responding to a request for access, records, or information, determine who is visiting and why.

Ask for:

- Their name
- Their title
- The agency or department they represent
- Identification
- A phone number and/or email address
- The purpose of the visit
- What program, records, or issue they are reviewing

Providers are responsible for maintaining a safe environment for children. It is reasonable to verify the identity of an unfamiliar individual requesting access to your program or its records.

If something about the visit does not seem right, take the time necessary to confirm who the individual is.

2. Be Polite, Professional, and Deliberate

Remain courteous and cooperative.

An unexpected visit is not the time to argue with an auditor or investigator. At the same time, being cooperative does not require you to immediately answer every question, produce every document, or make an important decision without understanding what is being requested.

You can explain that you want to cooperate while also asking for clarification about the purpose and scope of the visit.

If you are unsure about your rights or obligations, it is appropriate to say that you would like to contact legal counsel before proceeding.

3. Understand Who Is Conducting the Visit

Not every state visit is the same.

A visit from the Michigan Office of the Auditor General may involve different authority, procedures, and objectives than a visit from a MiLEAP licensing consultant or another state representative.

As of October 2026, the Office of the Auditor General is currently conducting an audit involving MiLEAP and the Child Development and Care program. Some providers may be contacted as part of that review.

Providers should not assume that the same rules apply to every agency or every type of visit. Identifying who is at your door is therefore one of the most important first steps.

4. Contact Legal Counsel When Appropriate

If an auditor, investigator, or other state representative requests records, interviews, or other information and you are unsure how to respond, **consider contacting legal counsel as soon as reasonably possible.**

An attorney can help you determine:

- What information must be provided
- What records are actually responsive to the request
- Whether confidential or privileged information is involved
- Whether an interview should occur immediately or be scheduled
- Whether the request should be provided in writing
- What deadlines may apply
- Whether there are appeal or reconsideration rights

Providers should pay particular attention to anything received in writing from the state.

Some licensing, billing, reconsideration, and appeal deadlines can be very short. Do not set aside a formal notice and assume there will be plenty of time to respond.

5. Ask for Clear Document Requests

If records are being requested, determine exactly what the auditor or investigator wants.

When possible, ask for the request in writing.

Document:

- Who made the request
- The agency they represent
- What records were requested
- What date range is involved
- When the records are due
- What records you ultimately provide

If you provide documents, keep a copy or record of everything that was produced.

Provide records responsive to the request rather than volunteering unrelated records or information that was not requested.

Never alter, recreate, delete, or change records after receiving a request.

6. Avoid Rushed Interviews

If an investigator or auditor asks to interview you or a staff member, **determine whether the conversation must occur immediately.**

When possible, consider asking whether the interview can be scheduled after you have had an opportunity to speak with legal counsel.

If you are answering questions:

- Tell the truth
- Listen carefully to the question
- Answer the question that was actually asked
- Do not guess
- Do not speculate
- Do not feel obligated to fill silence with additional information

If you genuinely do not know the answer to a question, “I don’t know” is an appropriate response.

If the person who would know the answer is not available, it is reasonable to explain that and ask whether the conversation can occur later.

7. Have a Plan for Your Staff

Programs should consider establishing an internal procedure for unexpected visits from auditors, investigators, licensing personnel, or other government representatives.

Employees should know:

- Who must be notified when someone arrives
- Who is authorized to speak on behalf of the program
- Who has authority to access and release program records
- That they should not independently begin producing documents
- That they should remain calm, polite, and professional
- That requests should be documented and promptly communicated to program leadership

A clear internal process can prevent confusion and ensure that the program responds consistently.

It also reduces the likelihood that program leadership learns days later that someone visited, interviewed staff, or requested documents.

8. Be Proactive Before Anyone Visits

The best time to prepare for an audit or investigation is before one occurs.

Regularly review your program’s documentation and practices, including:

- Attendance records
- CDC billing records
- Enrollment agreements
- Licensing documentation
- Incident reports
- Medication records
- Staff records
- Staff-to-child ratios
- Required reporting procedures

8. Proactivity (continued)

Make sure your program is following current licensing and CDC requirements and that your documentation accurately reflects your practices.

If you identify a potential compliance issue, address it proactively rather than waiting for an auditor or licensing consultant to discover it.

9. Document the Visit

Keep notes about what occurred.

Record:

- The visitor's name and agency
- When they arrived and left
- What they said the purpose of the visit was
- What questions were asked
- Who was interviewed
- What documents were requested
- What documents were provided
- Any deadlines or follow-up requests
- Anything unusual or concerning about the interaction

Documentation can become important later if there is disagreement about what occurred during the visit.

If Someone Is at Your Door Right Now

Stay calm. Be courteous. Verify who they are and what agency they represent. Ask why they are there and what they are requesting. Document the request.

If you are unsure about your obligations, tell the visitor that you would like to contact legal counsel before proceeding.

You may also ask whether the request can be provided in writing or whether the visit or interview can be scheduled for another time.

The appropriate response may depend on who is visiting and what they are requesting. Do not assume that the same rules apply to every state agency or every type of visit.

The Bottom Line

An unexpected state visit does not need to become a crisis.

Verify. Stay professional. Document. Do not guess. Do not alter records. Know what is being requested. Get legal guidance when you need it.

Preparation before a visit occurs can make the process significantly easier for you, your staff, and your program.

Important Disclaimer

This resource is provided by the Childcare Providers Association of Michigan for general informational and educational purposes only. It does not constitute legal advice and should not be relied upon as a substitute for advice from a qualified attorney.

Every audit, investigation, licensing matter, and records request may involve different facts and legal requirements. Providers with questions about a specific visit, investigation, notice, or request should consult legal counsel regarding their individual circumstances.

Need Legal Representation?

During CPAOM's October Provider Roundtable, attorney Anthony "Tony" Dalimonte of Foster Swift encouraged providers to contact legal counsel as soon as reasonably possible when facing an audit, investigation, licensing matter, records request, or other state action.

Tony and his colleagues regularly assist providers with licensing and regulatory matters, including document requests, investigations, administrative hearings, and appeals.

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Providers may contact Tony directly to discuss whether legal representation or guidance is appropriate for their situation.