

1.1 moves to amend H.F. No. 497 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2018, section 119B.09, subdivision 9, is amended to read:

1.4 Subd. 9. ~~Licensed and legal nonlicensed family~~ **Child care providers and employees;**
 1.5 **assistance.** ~~This subdivision applies to any provider providing care in a setting other than~~
 1.6 ~~a child care center. Licensed and legal nonlicensed family child care providers and their~~
 1.7 ~~employees~~ (a) The following individuals are not eligible to receive child care assistance
 1.8 subsidies under this chapter for their own children or children in their family during the
 1.9 hours they are providing child care, ~~or~~ being paid to provide child care, or working in a
 1.10 setting where child care is provided: licensed and legal nonlicensed family child care
 1.11 providers and the providers' employees; controlling individuals and employees of licensed
 1.12 centers and license-exempt centers; and individuals who work in a setting where child care
 1.13 is provided, even if employed by another entity. Child care providers and their employees
 1.14 are eligible to receive child care assistance subsidies for their children when they are engaged
 1.15 in other activities that meet the requirements of this chapter and for which child care
 1.16 assistance can be paid. The hours for which the provider or their employee receives a child
 1.17 care subsidy for their own children must not overlap with the hours the provider provides
 1.18 child care services or works in a setting where child care is provided.

1.19 (b) The commissioner of human services shall develop and implement a process for
 1.20 child care providers to request a hardship waiver from the requirements in paragraph (a) if
 1.21 the provider is unable to be fully staffed without hiring an individual who has a child enrolled
 1.22 with the child care provider. The provider must request a waiver for each individual who
 1.23 has a child enrolled with the provider and who is employed by the provider. A provider
 1.24 may request no more than five hardship waivers.

2.1 (c) Nothing in this subdivision precludes the commissioner from conducting fraud
2.2 investigations relating to child care assistance, imposing sanctions, and obtaining monetary
2.3 recovery as otherwise provided by law.

2.4 Sec. 2. **REPEALER.**

2.5 Minnesota Statutes 2018, section 119B.09, subdivision 9a, is repealed."

2.6 Amend the title accordingly