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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 4432

03/18/2026 Authored by Pérez-Vega; Nadeau; Lee, X.; Sencer-Mura; Hicks and others
The bill was read for the first time and referred to the Committee on Children and Families Finance and Policy

1.1 A bill for an act
1.2 relating to child care; establishing a child care assistance program absent days
1.3 limit exemption; making technical changes; amending Minnesota Statutes 2024,
1.4 section 142E.17, subdivision 10.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 142E.17, subdivision 10, is amended to read:

1.7 Subd. 10. Absent days. (a) Licensed child care providers and license-exempt centers
1.8 must not be reimbursed for more than 25 full-day absent days per child, excluding holidays,
1.9 in a calendar year, or for more than ten consecutive full-day absent days. "Absent day"
1.10 means any day that the child is authorized and scheduled to be in care with a licensed
1.11 provider or license-exempt center, and the child is absent from the care for the entire day.
1.12 Legal nonlicensed family child care providers must not be reimbursed for absent days. If a
1.13 child attends for part of the time authorized to be in care in a day, but is absent for part of
1.14 the time authorized to be in care in that same day, the absent time must be reimbursed but
1.15 the time must not count toward the absent days limit. Child care providers must only be
1.16 reimbursed for absent days if the provider has a written policy for child absences and charges
1.17 all other families in care for similar absences.

1.18 (b) Notwithstanding paragraph (a), children with documented medical conditions that
1.19 cause more frequent absences may exceed the 25 absent days limit, or ten consecutive
1.20 full-day absent days limit. Absences due to a documented medical condition of a parent or
1.21 sibling who lives in the same residence as the child receiving child care assistance do not
1.22 count against the absent days limit in a calendar year. Documentation of medical conditions
1.23 must be on the forms and submitted according to the timelines established by the

2.1 commissioner. A public health nurse or school nurse may verify the illness in lieu of a
 2.2 medical practitioner. If a provider sends a child home early due to a medical reason,
 2.3 including, but not limited to, fever or contagious illness, the child care center director or
 2.4 lead teacher may verify the illness in lieu of a medical practitioner.

2.5 (c) Notwithstanding paragraph (a), children in families may exceed the absent days limit
 2.6 if at least one parent: (1) is under the age of 21; (2) does not have a high school diploma or
 2.7 commissioner of education-selected high school equivalency certification; and (3) is a
 2.8 student in a school district or another similar program that provides or arranges for child
 2.9 care, parenting support, social services, career and employment supports, and academic
 2.10 support to achieve high school graduation, upon request of the program and approval of the
 2.11 county. If a child attends part of an authorized day, payment to the provider must be for the
 2.12 full amount of care authorized for that day.

2.13 (d) Notwithstanding paragraph (a), a licensed child care provider may apply for an absent
 2.14 days limit exemption when an extraordinary event results in substantially less than normal
 2.15 attendance or closure as determined by the commissioner. The commissioner must establish
 2.16 a process that includes the application procedure for a provider and a method to determine
 2.17 the end date of the extraordinary event.

2.18 ~~(d)~~ (e) Child care providers must be reimbursed for up to ten federal or state holidays
 2.19 or designated holidays per year when the provider charges all families for these days and
 2.20 the holiday or designated holiday falls on a day when the child is authorized to be in
 2.21 attendance. Parents may substitute other cultural or religious holidays for the ten recognized
 2.22 state and federal holidays. Holidays do not count toward the absent days limit.

2.23 ~~(e)~~ (f) A family must not be assessed an overpayment for an absent day payment unless
 2.24 (1) there was an error in the amount of care authorized for the family, or (2) all of the allowed
 2.25 full-day absent payments for the child have been paid.

2.26 ~~(f)~~ (g) The provider and family shall receive notification of the number of absent days
 2.27 used upon initial provider authorization for a family and ongoing notification of the number
 2.28 of absent days used as of the date of the notification.

2.29 ~~(g)~~ (h) For purposes of this subdivision:

2.30 (1) "absent days limit" means 25 full-day absent days per child, excluding holidays, in
 2.31 a calendar year; and ten consecutive full-day absent days;

2.32 (2) "extraordinary event" means a circumstance affecting the community that is beyond
 2.33 the control of the child care provider, including but not limited to a natural disaster,

3.1 mechanical breakdown in the facility, extreme weather event, epidemic, or exceptional
3.2 circumstance determined by the commissioner; and

3.3 ~~(h) For purposes of this subdivision, (3) "holidays limit" means ten full-day holidays~~
3.4 ~~per child, excluding absent days, in a calendar year.~~

3.5 (i) If a day meets the criteria of an absent day or a holiday under this subdivision, the
3.6 provider must bill that day as an absent day or holiday. A provider's failure to properly bill
3.7 an absent day or a holiday results in an overpayment, regardless of whether the child reached,
3.8 or is exempt from, the absent days limit or holidays limit for the calendar year.