

1.1 moves to amend H.F. No. 4735, the first engrossment, as follows:

1.2 Page 6, delete section 7

1.3 Page 8, after line 7, insert:

1.4 "Sec. Minnesota Statutes 2021 Supplement, section 245.4889, subdivision 1, is amended
1.5 to read:

1.6 Subdivision 1. **Establishment and authority.** (a) The commissioner is authorized to
1.7 make grants from available appropriations to assist:

1.8 (1) counties;

1.9 (2) Indian tribes;

1.10 (3) children's collaboratives under section 124D.23 or 245.493; ~~or~~

1.11 (4) mental health service providers; or

1.12 (5) school districts and charter schools.

1.13 (b) The following services are eligible for grants under this section:

1.14 (1) services to children with emotional disturbances as defined in section 245.4871,
1.15 subdivision 15, and their families;

1.16 (2) transition services under section 245.4875, subdivision 8, for young adults under
1.17 age 21 and their families;

1.18 (3) respite care services for children with emotional disturbances or severe emotional
1.19 disturbances who are at risk of out-of-home placement. A child is not required to have case
1.20 management services to receive respite care services;

1.21 (4) children's mental health crisis services;

2.1 (5) mental health services for people from cultural and ethnic minorities, including
2.2 supervision of clinical trainees who are Black, indigenous, or people of color;

2.3 (6) children's mental health screening and follow-up diagnostic assessment and treatment;

2.4 (7) services to promote and develop the capacity of providers to use evidence-based
2.5 practices in providing children's mental health services;

2.6 (8) school-linked mental health services under section 245.4901;

2.7 (9) building evidence-based mental health intervention capacity for children birth to age
2.8 five;

2.9 (10) suicide prevention and counseling services that use text messaging statewide;

2.10 (11) mental health first aid training;

2.11 (12) training for parents, collaborative partners, and mental health providers on the
2.12 impact of adverse childhood experiences and trauma and development of an interactive
2.13 website to share information and strategies to promote resilience and prevent trauma;

2.14 (13) transition age services to develop or expand mental health treatment and supports
2.15 for adolescents and young adults 26 years of age or younger;

2.16 (14) early childhood mental health consultation;

2.17 (15) evidence-based interventions for youth at risk of developing or experiencing a first
2.18 episode of psychosis, and a public awareness campaign on the signs and symptoms of
2.19 psychosis;

2.20 (16) psychiatric consultation for primary care practitioners; and

2.21 (17) providers to begin operations and meet program requirements when establishing a
2.22 new children's mental health program. These may be start-up grants.

2.23 (c) Services under paragraph (b) must be designed to help each child to function and
2.24 remain with the child's family in the community and delivered consistent with the child's
2.25 treatment plan. Transition services to eligible young adults under this paragraph must be
2.26 designed to foster independent living in the community.

2.27 (d) As a condition of receiving grant funds, a grantee shall obtain all available third-party
2.28 reimbursement sources, if applicable."

2.29 Page 11, after line 16, insert:

3.1 "Sec. **DIRECTION TO COMMISSIONER OF HUMAN SERVICES; BRAIN**
3.2 **BUILDERS BONUS PILOT PROGRAM.**

3.3 (a) The commissioner of human services shall develop and implement a brain builders
3.4 bonus pilot program to provide incentives or other supports to eligible child care providers
3.5 who provide consistent care for infants and toddlers, as defined in Minnesota Statutes,
3.6 section 245A.02, subdivision 19, who receive child care assistance under Minnesota Statutes,
3.7 chapter 119B, or an early learning scholarships under Minnesota Statutes, section 124D.165.

3.8 (b) "Eligible child care providers" for purposes of the pilot program are family child
3.9 care providers and group family child care providers licensed under Minnesota Statutes,
3.10 chapter 245A, and legally nonlicensed child care providers, as defined in Minnesota Statutes,
3.11 section 119B.011, subdivision 16.

3.12 (c) The commissioner may administer the pilot program and measure the program's
3.13 outcomes through a grant to a public or private nonprofit organization with the demonstrated
3.14 ability to manage benefit programs for child care professionals.

3.15 (d) By January 31, 2024, the commissioner shall report to the legislative committees
3.16 with jurisdiction over early childhood on implementation of the pilot program, including:
3.17 a description of the incentives and supports provided; the number of the providers who
3.18 received the incentives and supports, disaggregated by provider type; the average length of
3.19 time a provider who received incentives or supports cared for an infant or toddler; and other
3.20 outcomes of the program. The report shall also include the commissioner's recommendations
3.21 on the utility and feasibility of making the pilot program permanent."

3.22 Page 18, after line 24, insert:

3.23 "(g) A license holder may request a variance to this section to permit the use of a
3.24 cradleboard when requested by a parent or guardian for a cultural accommodation. A variance
3.25 for the use of a cradleboard may be issued only by the commissioner. The variance request
3.26 must be submitted on a form developed by the commissioner in partnership with Tribal
3.27 welfare agencies and the Minnesota Department of Health."

3.28 Page 21, after line 24, insert:

3.29 "(f) If a cradleboard is used in a licensed setting, the license holder must check the
3.30 cradleboard not less than monthly to ensure the cradleboard is structurally sound and does
3.31 not have loose or protruding parts. The license holder shall maintain written documentation
3.32 of the review."

3.33 Page 21, after line 25, insert:

4.1 "Sec. Minnesota Statutes 2020, section 245A.16, subdivision 1, is amended to read:

4.2 Subdivision 1. **Delegation of authority to agencies.** (a) County agencies and private
4.3 agencies that have been designated or licensed by the commissioner to perform licensing
4.4 functions and activities under section 245A.04 and background studies for family child care
4.5 under chapter 245C; to recommend denial of applicants under section 245A.05; to issue
4.6 correction orders, to issue variances, and recommend a conditional license under section
4.7 245A.06; or to recommend suspending or revoking a license or issuing a fine under section
4.8 245A.07, shall comply with rules and directives of the commissioner governing those
4.9 functions and with this section. The following variances are excluded from the delegation
4.10 of variance authority and may be issued only by the commissioner:

4.11 (1) dual licensure of family child care and child foster care, dual licensure of child and
4.12 adult foster care, and adult foster care and family child care;

4.13 (2) adult foster care maximum capacity;

4.14 (3) adult foster care minimum age requirement;

4.15 (4) child foster care maximum age requirement;

4.16 (5) variances regarding disqualified individuals except that, before the implementation
4.17 of NETStudy 2.0, county agencies may issue variances under section 245C.30 regarding
4.18 disqualified individuals when the county is responsible for conducting a consolidated
4.19 reconsideration according to sections 245C.25 and 245C.27, subdivision 2, clauses (a) and
4.20 (b), of a county maltreatment determination and a disqualification based on serious or
4.21 recurring maltreatment;

4.22 (6) the required presence of a caregiver in the adult foster care residence during normal
4.23 sleeping hours;

4.24 (7) variances to requirements relating to chemical use problems of a license holder or a
4.25 household member of a license holder; ~~and~~

4.26 (8) variances to section 245A.53 for a time-limited period. If the commissioner grants
4.27 a variance under this clause, the license holder must provide notice of the variance to all
4.28 parents and guardians of the children in care; and

4.29 (9) variances to section 245A.1435 for the use of a cradleboard for a cultural
4.30 accommodation.

5.1 Except as provided in section 245A.14, subdivision 4, paragraph (e), a county agency must
5.2 not grant a license holder a variance to exceed the maximum allowable family child care
5.3 license capacity of 14 children.

5.4 (b) A county agency that has been designated by the commissioner to issue family child
5.5 care variances must:

5.6 (1) publish the county agency's policies and criteria for issuing variances on the county's
5.7 public website and update the policies as necessary; and

5.8 (2) annually distribute the county agency's policies and criteria for issuing variances to
5.9 all family child care license holders in the county.

5.10 (c) Before the implementation of NETStudy 2.0, county agencies must report information
5.11 about disqualification reconsiderations under sections 245C.25 and 245C.27, subdivision
5.12 2, paragraphs (a) and (b), and variances granted under paragraph (a), clause (5), to the
5.13 commissioner at least monthly in a format prescribed by the commissioner.

5.14 (d) For family child care programs, the commissioner shall require a county agency to
5.15 conduct one unannounced licensing review at least annually.

5.16 (e) For family adult day services programs, the commissioner may authorize licensing
5.17 reviews every two years after a licensee has had at least one annual review.

5.18 (f) A license issued under this section may be issued for up to two years.

5.19 (g) During implementation of chapter 245D, the commissioner shall consider:

5.20 (1) the role of counties in quality assurance;

5.21 (2) the duties of county licensing staff; and

5.22 (3) the possible use of joint powers agreements, according to section 471.59, with counties
5.23 through which some licensing duties under chapter 245D may be delegated by the
5.24 commissioner to the counties.

5.25 Any consideration related to this paragraph must meet all of the requirements of the corrective
5.26 action plan ordered by the federal Centers for Medicare and Medicaid Services.

5.27 (h) Licensing authority specific to section 245D.06, subdivisions 5, 6, 7, and 8, or
5.28 successor provisions; and section 245D.061 or successor provisions, for family child foster
5.29 care programs providing out-of-home respite, as identified in section 245D.03, subdivision
5.30 1, paragraph (b), clause (1), is excluded from the delegation of authority to county and
5.31 private agencies.

6.1 (i) A county agency shall report to the commissioner, in a manner prescribed by the
6.2 commissioner, the following information for a licensed family child care program:

6.3 (1) the results of each licensing review completed, including the date of the review, and
6.4 any licensing correction order issued;

6.5 (2) any death, serious injury, or determination of substantiated maltreatment; and

6.6 (3) any fires that require the service of a fire department within 48 hours of the fire. The
6.7 information under this clause must also be reported to the state fire marshal within two
6.8 business days of receiving notice from a licensed family child care provider."

6.9 Page 23, line 18, delete "65,854,000" and insert "72,632,000"

6.10 Page 23, line 21, delete "65,854,000" and insert "72,632,000"

6.11 Page 23, line 25, delete "173,000" and insert "286,000"

6.12 Page 23, after line 25, insert:

6.13 "(a) IT and Data Sharing Projects. \$113,000
6.14 in fiscal year 2023 is for staff and costs related
6.15 to the information technology and data sharing
6.16 projects for programs impacting early
6.17 childhood.

6.18 (b) Base Level Adjustment. The general fund
6.19 base is increased \$914,000 in fiscal year 2024
6.20 and \$305,000 in fiscal year 2025."

6.21 Page 23, delete lines 26 to 28

6.22 Page 23, line 29, delete "843,000" and insert "1,406,000"

6.23 Page 24, after line 2, insert:

6.24 "(b) IT and Data Sharing Projects. \$563,000
6.25 in fiscal year 2023 is for staff and costs related
6.26 to the information technology and data sharing
6.27 projects for programs impacting early
6.28 childhood."

6.29 Page 24, line 3, delete "(b)" and insert "(c)"

6.30 Page 24, line 4, delete "\$493,000" and insert "\$1,053,000"

6.31 Page 24, line 5, delete "\$405,000" and insert "\$1,051,000"

7.1 Page 24, line 10, delete "\$29,599,000" and insert "\$29,591,000"

7.2 Page 24, line 16, delete "64,862,000" and insert "67,205,000"

7.3 Page 25, line 13, delete "\$29,133,000" and insert "\$31,476,000"

7.4 Page 25, delete lines 22 to 32 and insert:

7.5 "(f) Contract for Cost Estimation Model for

7.6 Early Care and Learning Programs.

7.7 \$400,000 in fiscal year 2023 is for a

7.8 professional technical contract related to

7.9 developing a cost estimation model for early

7.10 care and learning programs.

7.11 (g) Staff for Cost Estimation Model for

7.12 Early Care and Learning Programs.

7.13 \$111,000 in fiscal year 2023 is for staff related

7.14 to developing a cost estimation model for early

7.15 care and learning programs."

7.16 Page 26, line 1, delete everything after "grants" and insert ". The commissioner may use
7.17 up to ten percent of the appropriation for administration."

7.18 Page 26, delete lines 2 to 4

7.19 Page 26, line 6, delete "\$30,000,000" and insert "\$29,929,000"

7.20 Page 26, line 31, delete "\$84,300,000" and insert "\$82,183,000"

7.21 Page 26, line 11, delete "\$80,371,000" and insert "\$78,254,000"

7.22 Page 26, after line 32, insert:

7.23 "Subd. 7. Children's Mental Health Grants -0- 3,759,000

7.24 \$3,759,000 in fiscal year 2023 is for grants to

7.25 school districts and charter schools for early

7.26 childhood mental health consultation under

7.27 Minnesota Statutes, section 245.4889. The

7.28 commissioner may use up to \$409,000 for

7.29 administration. The general fund base is

7.30 increased \$3,759,000 in fiscal year 2024 and

7.31 \$3,759,000 in fiscal year 2025."

8.1 Page 27, line 1, delete "DEPARTMENT OF INFORMATION TECHNOLOGY" and
 8.2 insert "INFORMATION TECHNOLOGY SYSTEMS FOR EARLY CHILDHOOD
 8.3 PROGRAMS."

8.4 Page 27, delete line 2

8.5 Page 27, line 3, delete "\$9,500,000" and insert "\$6,441,000"

8.6 Page 27, line 29, delete "\$500,000" and insert "\$492,000"

8.7 Page 27, line 28, delete everything after "APPROPRIATION" and insert "; DATA
 8.8 SHARING AMONG EARLY CHILDHOOD PROGRAMS."

8.9 Page 28, line 1, delete "and" and after "sharing" insert "; and (3) support work related
 8.10 to the information technology modernization project for programs impacting early childhood"

8.11 Page 28, line 6, delete everything after the period and insert "The base for this
 8.12 appropriation is \$192,000 in fiscal year 2024 and \$97,000 in fiscal year 2025 only."

8.13 Page 28, delete line 7 and insert:

8.14 "Sec. **APPROPRIATION; INFORMATION TECHNOLOGY AND DATA**
 8.15 **SHARING PROJECTS FOR EARLY CHILDHOOD PROGRAMS.**

8.16 \$264,000 in fiscal year 2023 is appropriated from the general fund to the commissioner
 8.17 of education for work related to the information technology project and the data sharing
 8.18 project for programs impacting early childhood. The base for this appropriation is \$503,000
 8.19 in fiscal year 2024 and \$493,000 in fiscal year 2025 only.

8.20 Sec. **APPROPRIATION; EARLY CHILDHOOD EDUCATION WORKFORCE**
 8.21 **STUDY.**

8.22 \$255,000 in fiscal year 2023 is appropriated from the general fund to the commissioner
 8.23 of employment and economic development for a study on the early childhood education
 8.24 workforce in Minnesota. The study must provide a consolidated report of current data on
 8.25 the makeup of the early childhood education workforce, including those working in certified
 8.26 and licensed child care centers and family child care homes, Early Head Start and Head
 8.27 Start programs, and school-based programs, including early childhood special education;
 8.28 wages, income, and benefits in the industry; and barriers to entering these careers or retaining
 8.29 workers in the field, along with information on any other relevant issues identified during
 8.30 the research process. At a minimum, the study must replicate the data points published in
 8.31 the study funded by the Department of Human Services titled Child Care Workforce in

- 9.1 Minnesota: 2011 Statewide Study of Demographics, Training and Professional Development.
- 9.2 The study must be completed within 18 months and the commissioner may contract with
- 9.3 another organization to complete the study. This is a onetime appropriation and is available
- 9.4 until December 30, 2023."
- 9.5 Page 43, delete section 13
- 9.6 Page 45, delete subdivision 3
- 9.7 Renumber the subdivisions in sequence
- 9.8 Page 50, delete section 7
- 9.9 Renumber the sections in sequence and correct the internal references
- 9.10 Amend the title accordingly