

LEAD & CARE

Association of Family Child Care Professionals



Partnering with Providers, Supporting Family Child Care Businesses

Leadandcaremn.org

publicpolicy@leadandcaremn.org

April 2, 2025

RE: HF1892 (Moller) Correction Order requirements modified

Chair and Committee Members:

My name is Cyndi Cunningham. I have been a Licensed Family Child Care Provider in St. Paul for 27 years and am the current Public Policy Chairperson for Lead & Care, a 501c3 statewide association for Licensed Child Care Providers.

I am testifying on behalf of Lead & Care in **support of HF1892** regarding the timing of posting of correction orders and eliminating posting of communication between the agency and programs.

Complying with licensing rules, keeping children safe and holding those responsible when this doesn't happen is of highest priority for our organization.

This committee has heard many testimonies this year regarding the heavy handed, inconsistent oversight of licensing. There have been bills such as last week's HF2617 regarding resetting licensing. Thank you, Rep Coulter, for bringing this forward. Lead & Care has been involved in helping move this forward. Bills such as yesterday's HF2619 by Rep West posting of self-report on licensing notifications to ensure that programs are accurately portrayed to the public.

It is imperative that a balance be maintained between the need for the public to be aware of a programs licensing actions and due process which we as citizens believe is a part of our rights.

We support HF1892 to attempt to fairly make public actions by licensing agency. One aspect that complicates the fair view is that licensed family child care postings are personal. Their name is the license. When a center has violations and licensing actions, the business is sighted and in the case of staff actions, they are referred to by initials which offer anonymity in the public eye.

There is also the **dynamic of what I refer to as 'first in first believed'.** **Whatever is made public is considered fact and must be disproved.** Careful posting so that a provider's rights to fair due process is what is being asked.

Postponing posting correction orders until a program has chosen to ask or not ask for reconsideration offers that the post will be complete. The window we are asking for is 20 days, the same as the of

window for a program to ask for reconsideration. The correction order still is on the provider's record, just not the public record. **This gives the provider time to request the reconsideration and both the correction order, and the reconsideration are posted simultaneously.**

Correction orders are not always correct. You have heard testimony from others about this fact. There are inconsistencies in the understanding of interpretation by licensors and we continue to find that **DHS is choosing to not consistently train and communicate with licensors and chooses to not communicate interpretations to Family Child Care programs. This leads to confusion and inconsistencies in the issue of correction orders.**

Licensing actions, which are more serious than a correction order, are posted on the licensing look up (LIL) which I have shared an example of.

Currently, a link to the actual certified letter sent to the program is what is posted in the area circled on the example. These letters are detailed accusations, case building, by the agency prior to any appeal process or program input.

Again, it is important that there is transparency for public information, not hiding information balanced with due process for the provider.

We are asking that letters and communication not be posted but rather a brief statement made on the programs look up regarding the case. Anyone with a need to know more details can access the information through the county licensing system.

There are no laws which require a full case presentation of the violation. This step goes beyond the information needed for the public to consider care. **Providers should not be subject to the court of public opinion. Providers should be given due process and held accountable as warranted.**

These are letters...not court records.

Posting the certified letters creates a 'guilty until proven innocent' and condemnation from the public view. Anyone who reads these letters would fully believe that the program is guilty. The fail is that the programs side and situations have not been fully presented. **First in, first believed.**

It is demeaning to have detailed accusations made public, without due process. These letters stay public in detail for extended time period easily up to 2 years all while the provider may be seeking appeal. Continuously messaging the public with accusations which may be overturned.

When cases are overturned these letters are also inconsistently removed so the damaging accusations stay public for years to come, even when overturned.

Many Family Child Care providers are fearful of incorrect accusations which compromised their public presentation. Court of public opinion should not be the process we are subjected to.

We can hold accountable those who violate the laws, without condemning the accused.

Thank you, Rep Moller, for bringing this bill forward. We ask for the committee's support.

Cyndi Cunningham,

Lead & Care Public Policy Chairperson, 651-470-4857

April 1, 2025

TO: Children and Families Finance and Policy

RE: HF 1897 (Moller) Correction order requirements modified.

Chair & Committee members,

I am Brenda Hruza. Licensed providers for 32 years in Mounds View, Ramsey County, board member of RCFCCA Ramsey County Family Child Care Association, serve as committee member for Lead & Care public policy.

I am a constituent of Rep Moller's and appreciate her time working with family child care providers from the very beginning of her first term. She comes to the table to understand our job's and she devotes time and energy when working with Family Child Care providers on items that are important to our industry.

Family Child Care programs are individuals in this business as most programs are labeled by the License Holder's name. We are in charge of marketing, recruiting, accounting, care giving and human resources. License holders are the primary care providers, chief cooks and bottle washers all wrapped up in one person. If a licensing problem arises in our programs, we take the responsibility of the safety of the children as our primary concern.

I frequently support providers who are experiencing licensing consequences and have seen the inconsistencies of application of the law and the public condemnation within that process. We are at the mercy of county licensors who aren't always correct due to inconsistencies in implementation or flaws in the licensors training process from the state agency.

This bill addresses the need for the public to have access to true information about a program balanced with the rights of provider's due process.

- **Correction Order timelines** - providers need time to file reconsideration & DHS time to hear reconsideration and process facts presented within a timely period before posting on the public Licensing Information Lookup site.

- **Posting of Licensing Action Letters vs summary** - letters are accusations, Guilty until proven Innocent and defamation of character of a business before due process, post a summary of the letter on the public website.
- **Reconsideration of Correction Orders** - providers need the Licensing Information Lookup to reflect if correction orders are under a "reconsideration" process.
- **Length of time Correction Orders on Licensing Lookup Site** - use the length of time Correction Orders are attached to a Provider's Licensing Information Lookup profile to reflect Federal standards which is 3 years, not the Minnesota 4-year standard.

These changes and proposed solutions which will work to benefit providers and their reputations and provide information to parents/guardians when researching their right child care decision.

When it comes to Licensing Actions and the feeling of being Guilty until proven Innocent, the public is seeing information via email notification frequently before the provider has even received the letter. The provider doesn't even have a chance to present their side of the story with a judicial process. Providers deserve due process to present their side of the situation before the detailed accusations (they are only the agencies view) are on a public website. A summary of a letter will still outline the accusations and be transparent, but not detail the situation without due process. Family Child Care providers are named, while centers it is about the "center" and a "staff person" which is not named.

I appreciate Rep Moller working with myself and Lead & Care to help the child care industry to survive moving forward. Let's keep the **family** in family child care and providers in their small businesses.

Thank you again, Rep Moller for protecting children, giving parents critical information and balancing with the rights of providers.

Brenda Hruza
 Brenda's Buddies Daycare
 7917 Eastwood Road
 Mounds View, MN 55112
 RCFCCA Treasurer & Training Coordinator
 Lead & Care Public Policy Committee

licensing lookup

License Details
— back to search results

License status: Active

Cunningham Cynthia dba Growing Wings LLC

373 IDAHO AVE W

Saint Paul, MN 55117

Map This Location (Map will open in a new tab)

(651) 470-4857
Ramsey County

License number: 231009

License holder(s): Cynthia S Cunningham

License Holder Entity Identification Number(s): 4942323

License status: Active

Type of service: Family Child Care

Initial effective date: April 1, 1998

Last renewed or updated on: March 3, 2025

Next renewal due: December 31, 2025

Licensed to serve

Age for group family day care: licensed capacity of 12 children, with no more than 10 children under school age, of these 10 children, a combined total of no more than 2 children shall be infants and toddlers. Of these two children, no more than 1 child shall be an infant.

Capacity: 12

Restrictions: This program operates under the registered LLC name Growing Wings LLC. This license supersedes the previously issued license that was set to expire in 2025.

Setting: Residential Dwelling

Licensed to provide

Family Child Care

Additional information

Licensing authority: Ramsey County Community Human Services Dept

License holder lives onsite: Yes

Note: For additional information relating to providers who are licensed by an authority other than the Minnesota Department of Human Services, please contact the licensing authority directly. A directory of county agencies is online.

Summary of Reviews and Investigations

Summary information below appears for four years from the date of posting

Date of Visit	Type of Visit	Outcome of Visit
4/17/2024	Licensing Review	In Compliance
3/13/2023	Licensing Review	In Compliance
3/10/2022	Licensing Review	In Compliance

Licensing Actions and Mitreatment Investigation Memorandums

Documents below appear for four years from the date of posting

Document type

None available for posting at this time.

Date issued

Format