

Subject Updating child care regulations

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Overview

This bill is the governor's child care licensing policy bill. It contains provisions that affect licensed child care providers and substance use disorder treatment programs that serve parents with their children.

Summary

Section	Description
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1	Controlling individual.
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Amends § 245A.02, subdivision 5a. Adds an individual designated as the primary provider of care for a special family child care program to the definition of "controlling individual" for the purposes of chapter 245A.

Makes the section effective July 1, 2022.

2	Inspections; waiver.
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Amends § 245A.04, subdivision 4. Directs the DHS commissioner or county to inspect licensed child care providers at least "once each calendar year" rather than "annually."

Makes the section effective the day following final enactment.

3	Special family child care homes.
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Amends § 245A.14, subdivision 4. Provides that a primary provider of care in a special family child care home is authorized to communicate with DHS and counties on matters related to licensing. Requires that a primary provider of care meets the qualifications in rules for group family child care providers.

Makes the section effective July 1, 2022.

Section	Description
4	<p data-bbox="318 264 1300 296">Reduction of risk of sudden unexpected infant death in licensed programs.</p> <p data-bbox="318 310 1373 422">Amends § 245A.1435. Modifies paragraph (b) to require that a pacifier placed in a crib with an infant in a licensed child care program is free from any sort of attachment.</p> <p data-bbox="318 457 1422 569">Adds paragraph (d) to provide that when a license holder puts a child under the age of one year down to sleep, the child’s sleepwear must not have weighted materials, a hood, or a bib.</p> <p data-bbox="318 604 1414 716">Adds paragraph (e) to allow a license holder to place a child under the age of one down to sleep wearing a helmet if the license holder has signed documentation from a specified medical professional on a form developed by the DHS commissioner.</p> <p data-bbox="318 751 1406 905">Modifies paragraph (f) to include a definition of a “swaddle” and provide requirements about how it may be used by a child care license holder. Provides that a parent’s consent for the use of swaddling must be obtained on a form developed by the DHS commissioner.</p> <p data-bbox="318 940 889 974">Makes the section effective January 1, 2023.</p>
5	<p data-bbox="318 1016 1398 1089">Substance use disorder treatment licensed programs that serve parents with their children.</p> <p data-bbox="318 1104 1182 1136">Amends § 245A.1443. Makes technical corrections in subdivision 1.</p> <p data-bbox="318 1171 1422 1398">Modifies subdivision 2 to require that a license holder use educational material developed by the DHS commissioner to comply with the requirement to provide education to a child’s parent related to safe bathing and reducing the risk of sudden unexpected infant death and abusive head trauma. Provides that if a parent refuses to comply with the safeguards, then program staff must provide additional education in accordance with the parental supervision plan.</p> <p data-bbox="318 1434 1422 1661">Makes changes in subdivision 3 to the factors a license holder must consider when documenting a parent’s capacity to meet the health and safety needs of a child while on the facility premises. Adds a new paragraph (c), which provides that if a parent refuses to comply with the safeguards in place or is unable to adequately care for a child, then the license holder must develop a parental supervision plan in conjunction with the client.</p> <p data-bbox="318 1696 889 1730">Makes the section effective January 1, 2023.</p>
6	<p data-bbox="318 1772 829 1803">License holder documentation of cribs.</p> <p data-bbox="318 1818 1373 1890">Amends § 245A.146, subdivision 3. Provides that every mesh-sided or fabric-sided play yard, pack and play, or playpen used in a licensed family child care program</p>

Section	Description
	<p>must have an original mattress or replacement mattress provided by the manufacturer of the structure.</p> <p>Makes the section effective January 1, 2023.</p>
7	<p>Monitoring and inspections.</p> <p>Amends § 245H.05. Directs the DHS commissioner to inspect a certified license-exempt child care center at least “once each calendar year” rather than “annually.”</p> <p>Makes the section effective the day following final enactment.</p>
8	<p>Child care regulation modernization; pilot projects.</p> <p>Allows the DHS commissioner to conduct and administer pilot projects to test methods and procedures related to the projects for modernizing child care regulations that were established and funded by the 2021 legislature. Provides that the commissioner may waive enforcement of existing statutes, rules, or standards in one or more counties to carry out the pilot projects, but such a waiver must provide alternative methods and procedures of administration and must not conflict with the basic purposes, coverage, or benefits provided by law. The pilot projects may not extend beyond February 1, 2024, and the pilot projects must comply with the requirements of the child care and development fund plan.</p> <p>Makes the section effective the day following final enactment.</p>



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