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**Authors:** Lucero and others

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**Analyst:** Sarah Sunderman

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### Overview

This bill would make family child care correction orders, negative actions, and resolved complaints private and prohibit insurers from refusing coverage for properties housing day care services of any size. The bill would also modify family child care licensing provisions, require an annual Department of Human Services (DHS) report on correction orders, modify licensor training requirements, and require the commissioner to inform license holders of changes to applicable laws, rules, and policies.

#### Section

- 1 Licensing data.** Amends § 13.46, subd. 4. Adds clause (6), applying to family day care or group family day care licensed providers. Designates a correction order, other negative licensing action, or licensure denial as private, nonpublic data until a final decision, order, or resolution is issued and time for appeal expires. Specifies that all or part of a correction order, other negative licensing action, or licensure denial that is resolved in favor of the licensee or applicant is private, nonpublic data.
- 2 Prohibited underwriting practices.** Amends § 65A.30, subd. 2. Prohibits an insurer from refusing to provide homeowner's insurance coverage because a property houses day care services of any size, removing qualification of five or fewer children.
- 3 Annual or annually.** Amends § 245A.02, subd. 2b. Specifies that "annual" or "annually" for the purposes of section 245A.50 (family child care training requirements) means during a licensing term.

## Section

**4 Notification to provider.** Proposes coding for § 245A.055. Paragraph (a) requires a county licenser to provide written or electronic notice to a family child care or group family child care licensee of any potential violations noted during an inspection before leaving the inspection. Specifies that the commissioner cannot issue a licensing violation for a potential violation not included in this notification.

Paragraph (b) clarifies that providing this notice does not relieve the county licenser from notifying the commissioner as required by existing statute and rule.

**5 Reconsideration of correction orders.** Amends section 245A.06, subd. 2. Paragraph (b) requires that a request for reconsideration of a correction order stay any provisions of the correction order, including posting requirements, until the appeal is finalized.

Paragraph (c) requires DHS to annually report data to the human services policy committees regarding:

- (1) the number of family child care licensee correction order appeals;
- (2) the number of appeals granted; and
- (3) the number of appeals denied.

**6 Requirement to post correction order.** Amends § 245A.06, subd. 8. Adds paragraph (b). Specifies that family day care or group family day care providers must not post a correction order, other negative licensing action, or licensure denial until a final decision is issued and the time for appeal expires or if resolved in favor of the licensee or applicant.

**7 Requirement to post licensing order or fine.** Amends § 245A.07, subd. 5. Adds paragraph (b). Specifies that family day care or group family day care providers must not post a correction order, other negative licensing action, or licensure denial until a final decision is issued and the time for appeal expires or if resolved in favor of the licensee or applicant.

**8 Training and certification for county licensing staff on family child care and group family child care requirements.** Proposes coding for § 245A.55.

Paragraph (a) requires the commissioner to train and certify county family child care licensers.

Paragraph (b) requires county licensers to receive state certification and complete at least eight hours of training within the first two months of employment and before conducting any oversight or inspection. Requires DHS to develop a uniform training curriculum including:

- (1) explicit instructions to county licensing staff to apply only standards in rules, statutes, and policies;
- (2) the rights of license holders, including grievance and appeal rights; and
- (3) the procedure for county licensing staff to get clarification from DHS before issuing a correction order or other notice in the event of a dispute with the license holder.

Paragraph (c) requires the commissioner to develop a procedure to implement increased training and oversight of county licensers, with at least biennial performance reviews.

**Section**

Paragraph (d) requires that the commissioner annually notify county licensors and family child care providers of new applicable laws adopted in the previous 12 months.

Paragraph (e) requires the commissioner to revoke county licensor certification for:

- (1) any activity that results in criminal charges or conviction that would result in a background study disqualification;
- (2) refusal of a licensor to follow protocol; and
- (3) a licensor's unethical or improper behavior, by a preponderance of evidence.

**9** **Specific powers.** Amends § 256.01, subd. 2. Requires commissioner to timely inform affected license holders of changes in statute, rule, federal law, regulation, or policy. Allows notice via electronic means, requires the commissioner to make notice available to the public online.

Corrects cross-references.