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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 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 section 13.46, subd. 4. Adds clause (6), applying to family day care or group family day care licensed providers. Designates a correction order, negative licensing action, or order of licensure denial overturned on appeal as private, nonpublic data. Specifies that the general nature of an order or a resolved complaint and the findings related to an order or a resolved complaint are private, nonpublic data.
- 2** **Prohibited underwriting practices.** Amends section 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 section 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.
- 4** **Notification to provider.** Proposes coding for section 245A.055. Paragraph (a) requires a county licensor to provide written notice to a family child care or group family child care licensee of any potential violations noted during an inspection, before leaving the inspection.

Section

Paragraph (b) clarifies that providing this notice does not relieve the county licensor 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 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** **Training and certification for county licensing staff on family child care and group family child care requirements.** Proposes coding for section 245A.55.

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

Paragraph (b) requires county licensors 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 licensors, with at least biennial performance reviews.

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.

- 7** **Specific powers.** Amends section 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.