

Subject DHS Office of Inspector General Child Policy Bill

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Overview

This bill is the Department of Human Services (DHS) Office of Inspector General child policy bill. The bill establishes a continuous license process for family child foster care, makes changes to requirements governing certified, license-exempt child care centers, and makes other policy and technical changes to licensing processes.

Summary

Section	Description
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| 1 | Annual or annually; family child care and family child foster care.
Amends § 245A.02, subd. 2c. Provides that a current law definition of “annual” applies to both family child care training and family child foster care training. Makes the section effective January 1, 2025. |
| 2 | Adoption agency; additional requirements.
Amends § 245A.04, subd. 10. Requires that when applying for a license to place children for adoption, an individual or organization must submit a financial review completed by an accountant, rather than having a certified audit. Makes the section effective January 1, 2025. |
| 3 | Family child foster care annual program evaluation.
Adds a subdivision to § 245A.04. Provides that when the continuous license process for family child foster care is implemented, then the annual program evaluation must be conducted using the electronic licensing inspection checklist and the provider licensing and reporting hub, as prescribed by the commissioner. Makes the section effective July 1, 2024. |
| 4 | Regulatory methods.
Amends § 245A.09, subd. 7. Makes a technical change replacing “annually” with “once each calendar year” for purposes of when the commissioner must conduct |

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	announced licensing inspections at licensed child care centers. Makes the section effective immediately.
5	Reusable water bottles or cups. Amends § 245A.14, subd. 17. Allows a licensed child care center to provide water to children in reusable water bottles or reusable cups if the child brings home the water bottle or cup.
6	Electronic checklist use. Amends § 245A.16, subd. 11. Allows county and private agency staff to use the electronic licensing inspection checklist when performing licensing functions for family child foster care. Makes the section effective July 1, 2024.
7	Licensed child-placing agency personnel requirements. Adds a subdivision to § 245A.16. Requires that a licensed child-placing agency have an individual on staff or on contract who is designated to supervise the agency's casework and specifies the qualifications the individual must meet. Allows the commissioner to grant a variance to these requirements. Makes the section effective July 1, 2024.
8	Door to attached garage. Amends § 245A.52, subd. 2. Makes changes to requirements governing attached garages in licensed family child care homes.
9	Child care centers; risk reduction plan. Amends § 245A.66, subd. 2. Provides that a licensed child care center's risk reduction plan must include information about how preschool children are supervised when using an individual, private restroom within the classroom.
10	Child care background study subject. Amends § 245C.02, subd. 6a. Requires that an "authorized agent" in a license-exempt certified child care center complete a background study. Makes the section effective October 1, 2024.
11	Reporting of suspected fraudulent activity. Amends § 245E.08. Requires that the name of a person who reports suspected fraudulent activity in the child care assistance program is kept confidential and provides that the subject of the report may compel disclosure of the reporter's name only in specified circumstances. Provides that the requirements do not alter the disclosure responsibilities or obligations under the Rules of Criminal Procedure, except that when the identity of the reporter is relevant to a criminal prosecution the

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	district court must conduct an in-camera review before determining whether to order disclosure of the reporter's identity.
12	Infant. Adds a subdivision to § 245H.01. Adds a definition of "infant" to the chapter of statute governing certified, license-exempt child care centers, and defines the term in the same way it is currently used in the chapter. Makes the section effective October 1, 2024.
13	Preschooler. Adds a subdivision to § 245H.01. Adds a definition of "preschooler" to the chapter of statute governing certified, license-exempt child care centers, and defines the term in the same way it is currently used in the chapter. Makes the section effective October 1, 2024.
14	School-age child. Adds a subdivision to § 245H.01. Adds a definition of "school-age child" to the chapter of statute governing certified, license-exempt child care centers, and defines the term in the same way it is currently used in the chapter. Makes the section effective October 1, 2024.
15	Toddler. Adds a subdivision to § 245H.01. Adds a definition of "toddler" to the chapter of statute governing certified, license-exempt child care centers, and defines the term in the same way as it is currently used in the chapter. Makes the section effective October 1, 2024.
16	Correction order and conditional certification requirements. Amends § 245H.06, subd. 1. Gives DHS the authority to issue a conditional certification to a certified, license-exempt child care center. Makes the section effective October 1, 2024.
17	Reconsideration request. Amends § 245H.06, subd. 2. Makes conforming changes related to giving DHS the authority to issue conditional certifications to certified, license-exempt child care centers. Makes the section effective October 1, 2024.
18	Staffing requirements. Amends § 245H.08, subd. 1. Clarifies that a certified, license-exempt child care center must designate a staff person to fulfill the director's duties when the director is absent. Specifies that the staff person must be at least 18 years old and must be

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	aware of the designation and associated responsibilities but does not need to meet the required qualifications for directors. Makes the section effective October 1, 2024.
19	Maximum group size. Amends § 245H.08, subd. 4. Makes conforming changes related to adding definitions to the chapter of statute governing certified, license-exempt child care centers. Makes the section effective October 1, 2024.
20	Ratios. Amends § 245H.08, subd. 5. Makes conforming changes related to adding definitions to the chapter of statute governing certified, license-exempt child care centers. Makes the section effective October 1, 2024.
21	First aid and cardiopulmonary resuscitation. Amends § 245H.14, subd. 1. Provides that staff in certified, license-exempt child care centers must complete first aid and CPR training within 90 days after the first date of direct contact with a child. Makes the section effective October 1, 2024.
22	Child development. Amends § 245H.14, subd. 4. Provides that staff in certified, license-exempt child care centers must complete child development and learning training within 90 days after the first date of direct contact with a child. Makes the section effective October 1, 2024.
23	Children's records. Establishes § 245H.19. Requires that certified, license-exempt child care centers maintain a record for each child enrolled in the program. Specifies the information the record must contain and provides that some of the information (immunization information, medication administration documentation, and allergy documentation) must be accessible during all hours of operation to staff. Makes the section effective October 1, 2024.
24	Nonmaltreatment mistake. Amends § 260E.30, subd. 3. Applies statute governing nonmaltreatment mistakes for licensed child care centers to certified, license-exempt child care centers and makes conforming changes. Makes the section effective October 1, 2024.
25	Family child foster care continuous licenses. Directs DHS to develop a continuous license process for family child foster care licenses. Makes the section effective July 1, 2024.

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26	Repealer. Repeals Minnesota Rules, part 9545.0805 (personnel). Makes the section effective July 1, 2024.



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