



Minnesota Association of Child Care Professionals 2018 Legislative Update

The 2018 legislative session is over and MACCP is excited to see that DHS has completed and sent out their Legislative Summary for Family Child Care Providers. It is always better when providers get information directly from DHS to eliminate potential confusion.

The Minnesota Association of Child Care Professionals would like to recognize the many family child care providers who took time to reach out to contact their lawmakers and send written testimony in support of the proposals for family child care policy improvements. Your collective voices played a significant role in the successes we saw this year. This was a short session, plus an election year, which can make significant reform even more difficult to accomplish. As a result, we knew going into this session that progress would be limited. We developed an agenda based on feedback from our members that we believed would have the most profound impact for providers while still standing a chance of passing. Number one on that agenda was the repeal of the mandatory fingerprinting of minor children living in family child care homes. We are proud to say this bill passed! We also saw a small part of our paperwork reduction bill pass and are hopeful we can see some additional regulatory and administrative relief through a new Senate working group over the summer and fall.

Below is a recap of the primary legislative changes impacting family child care providers. The Department of Human Services will soon be releasing information about these changes and how they will be implemented. Until you hear directly from them, continue to operate as you are now.

SF2683 Modifying Background Study Provisions.

This bill repeals the fingerprinting of minor children living in a family child care home, except under certain special circumstances such as when the child has a criminal history or has lived out of state during the previous five years. It changes the definition of “child care staff person” to “child care background subject” and removes minor children 13 and older from the definition. It sets the fees for the non-fingerprint background studies at \$20.00.

SF2685 Positive Supports Exemption.

This bill exempts family and center child care providers from the Positive Supports and Restrictive Interventions, which could have resulted in an additional 8 to 16 hours of required training.

However, this bill also added language that prohibits the use of restraints, “time outs”, exclusion, or any other aversive or deprivation procedure for children with a developmental disability or related condition and requires us to comply with the individualized education program (IEP), if one exists. While a great deal of this is common sense and already expected of us, we have the same concerns regarding how DHS will interpret and implement this language as we did with the Positive Supports Rule.



SF3508 Correction order posting requirements for child care licensing modified.

This bill removes the requirement to post “correction orders” in our homes for 2 years as this information will now be accessible on the DHS website. This bill does not take effect until January 1, 2019 so continue to post any correction orders until you receive clear directions from DHS.

We would like to thank Family Child Care Incorporated (FCCI), Olmsted County’s family child care association, for bringing this bill forward and the hard work they put into the passage of this bill.

SF3310 Modifying provisions relating to child care licensing;

This bill included numerous provisions, including the following;

- A piece from MACCP’s paperwork reduction proposal, which eliminates the annual notice for liability insurance for family child care providers who have a continuous policy. This portion of the bill does not take effect until August 1, 2018.
- An allowance for group family child care programs licensed as a class D specialized infant and toddler group family child care programs to operate as a class B specialized infant and toddler family day care program on days when only one caregiver is present.
- A requirement for the county or private licensing agency to provide written notice to the license holder when the agency recommends a licensing action to the commissioner.
- Additional direction to the Commissioner of DHS to conduct meetings, provide information and make certain licensing reforms including;
 - A. Enhancements to the DHS website that comply with federal requirements.
 - B. A requirement to provide each license holder with a printed copy of the posting guidelines for child care licensing information.
 - C. Convening regional meetings with license holders and county licensing agencies to review the posting guidelines and the enhancements made to the department's licensing web site and obtain feedback and recommendations for future enhancements.
 - D. Additions to the 2019 report to the legislature on the status of child care already required, including;
 - (1) a description of the federal and state requirements and any guidelines established for the posting of child care licensing information and monitoring results;
 - (2) a summary of how the department is engaging licensed child care providers, county licensing agencies, and families seeking or using child care services to obtain feedback about the posting guidelines on the department's Website;
 - (3) a summary of the administrative reform and actions identified by licensed child care providers through stakeholder meetings that could be implemented without statutory changes that would reduce the regulatory and administrative burden to license holders;
 - (4) a description of administrative reforms and actions the department has taken in the prior year or is in the process of implementing; and
 - (5) an evaluation of existing laws, models, and initiatives from other states that have implemented child care licensing reforms to reduce barriers and unnecessary administrative burdens for child care providers."
- This bill also added language in several areas of statute to require DHS to communicate in “plain language”, which we hope will lead to more clear and concise communication from the Department to providers.



This policy update was prepared by the Minnesota Association of Child Care Professionals as an informative report on the outcome of the 2018 legislative session and should not be used to alter your licensing practices.

Please continue to operate as you are until you have heard from DHS on how they plan to implement these changes. If you have any questions, please contact our Public Policy Director, Julie Seydel, at PublicPolicy@MACCP.org

The Minnesota Association of Child Care Professionals (MACCP) would like to say “Thank you” to all of the lawmakers who had a hand in passing positive legislation for family child care this session:

SF2683 Minor Fingerprint Repeal bill

Author: Senator Mary Kiffmeyer

Co-Authors: Senator Michelle Benson

Senator Jim Abeler

Senator Andrew Lang

Senator John Hoffman

House companion bill was authored by Representative Tony Albright

SF2685 Positive Supports Exemption

Author: Senator Andrew Lang

Co-Authors: Senator Mary Kiffmeyer

Senator John Hoffman

Senator Karin Housley

House companion bill Authors Representative Mary Franson and Representative Cindy Pugh.

The Minnesota Association of Child Care Professionals (MACCP) would also like to thank all members of the Minnesota Senate and House of Representative who voted in favor of these bills. We had a majority of bipartisan support for this legislation and hope this continues in the future as we all need to work together to strengthen family child care.

Read the 2018 Minnesota DHS Legislative Summary: <https://mn.gov/dhs/general-public/licensing/legislative-changes/>