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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **1238**

02/14/2019 Authored by Pryor, Kotyza-Witthuhn, Wazlawik, Morrison, Pinto and others
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to human services; modifying child care assistance program provisions;
1.3 amending Minnesota Statutes 2018, sections 119B.011, subdivision 20, by adding
1.4 a subdivision; 119B.025, subdivision 1; 119B.03, subdivision 9; 119B.095, by
1.5 adding a subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2018, section 119B.011, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 13b. **Homeless.** "Homeless" means a self-declared housing status as defined in
1.10 the McKinney-Vento Homeless Assistance Act and United States Code, title 42, section
1.11 11302, paragraph (a).

1.12 **EFFECTIVE DATE.** This section is effective August 12, 2020.

1.13 Sec. 2. Minnesota Statutes 2018, section 119B.011, subdivision 20, is amended to read:

1.14 Subd. 20. **Transition year families.** "Transition year families" means families who have
1.15 received MFIP assistance, or who were eligible to receive MFIP assistance after choosing
1.16 to discontinue receipt of the cash portion of MFIP assistance under section 256J.31,
1.17 subdivision 12, or families who have received DWP assistance under section 256J.95 for
1.18 at least ~~three~~ one of the last six months before losing eligibility for MFIP or DWP.
1.19 Notwithstanding Minnesota Rules, parts 3400.0040, subpart 10, and 3400.0090, subpart 2,
1.20 transition year child care may be used to support employment, approved education or training
1.21 programs, or job search that meets the requirements of section 119B.10. Transition year
1.22 child care is not available to families who have been disqualified from MFIP or DWP due
1.23 to fraud.

2.1 **EFFECTIVE DATE.** This section is effective October 8, 2019.

2.2 Sec. 3. Minnesota Statutes 2018, section 119B.025, subdivision 1, is amended to read:

2.3 Subdivision 1. **Applications.** (a) Except as provided in paragraph (c), clause (4), the
2.4 county shall verify the following at all initial child care applications using the universal
2.5 application:

2.6 (1) identity of adults;

2.7 (2) presence of the minor child in the home, if questionable;

2.8 (3) relationship of minor child to the parent, stepparent, legal guardian, eligible relative
2.9 caretaker, or the spouses of any of the foregoing;

2.10 (4) age;

2.11 (5) immigration status, if related to eligibility;

2.12 (6) Social Security number, if given;

2.13 (7) counted income;

2.14 (8) spousal support and child support payments made to persons outside the household;

2.15 (9) residence; and

2.16 (10) inconsistent information, if related to eligibility.

2.17 (b) The county must mail a notice of approval or denial of assistance to the applicant
2.18 within 30 calendar days after receiving the application. The county may extend the response
2.19 time by 15 calendar days if the applicant is informed of the extension.

2.20 (c) For an applicant who declares that the applicant is homeless and who meets the
2.21 definition of homeless in section 119B.011, subdivision 13b, the county must:

2.22 (1) if information is needed to determine eligibility, send a request for information to
2.23 the applicant within five working days after receiving the application;

2.24 (2) if the applicant is eligible, send a notice of approval of assistance within five working
2.25 days after receiving the application;

2.26 (3) if the applicant is ineligible, send a notice of denial of assistance within 30 days after
2.27 receiving the application. The county may extend the response time by 15 calendar days if
2.28 the applicant is informed of the extension;

2.29 (4) not require verifications required by paragraph (a) before issuing the notice of approval
2.30 or denial; and

3.1 (5) follow limits set by the commissioner for how frequently expedited application
 3.2 processing may be used for an applicant under this paragraph.

3.3 (d) An applicant who declares that the applicant is homeless must submit proof of
 3.4 eligibility within three months of the date the application was received. If proof of eligibility
 3.5 is not submitted within three months, eligibility ends. A 15-day adverse action notice is
 3.6 required to end eligibility.

3.7 **EFFECTIVE DATE.** This section is effective August 12, 2020.

3.8 Sec. 4. Minnesota Statutes 2018, section 119B.03, subdivision 9, is amended to read:

3.9 Subd. 9. **Portability pool.** (a) The commissioner shall establish a pool of up to five
 3.10 percent of the annual appropriation for the basic sliding fee program to provide continuous
 3.11 child care assistance for eligible families who move between Minnesota counties. At the
 3.12 end of each allocation period, any unspent funds in the portability pool must be used for
 3.13 assistance under the basic sliding fee program. If expenditures from the portability pool
 3.14 exceed the amount of money available, the reallocation pool must be reduced to cover these
 3.15 shortages.

3.16 (b) ~~To be eligible for portable basic sliding fee assistance,~~ A family that has moved from
 3.17 a county in which it was receiving basic sliding fee assistance to a county with a waiting
 3.18 list for the basic sliding fee program must:

3.19 (1) meet the income and eligibility guidelines for the basic sliding fee program; and

3.20 (2) ~~notify the new county of residence within 60 days of moving and submit information~~
 3.21 ~~to the new county of residence to verify eligibility for the basic sliding fee program~~ family's
 3.22 previous county of residence of the family's move to a new county of residence.

3.23 (c) The receiving county must:

3.24 (1) accept administrative responsibility for applicants for portable basic sliding fee
 3.25 assistance at the end of the two months of assistance under the Unitary Residency Act;

3.26 (2) continue portability pool basic sliding fee assistance ~~for the lesser of six months or~~
 3.27 until the family is able to receive assistance under the county's regular basic sliding program;
 3.28 and

3.29 (3) notify the commissioner through the quarterly reporting process of any family that
 3.30 meets the criteria of the portable basic sliding fee assistance pool.

3.31 **EFFECTIVE DATE.** This section is effective October 8, 2019.

4.1 Sec. 5. Minnesota Statutes 2018, section 119B.095, is amended by adding a subdivision
4.2 to read:

4.3 Subd. 3. **Assistance for persons who are homeless.** An applicant who is homeless and
4.4 eligible for child care assistance under this chapter is eligible for 60 hours of child care
4.5 assistance per service period for three months from the date the county receives the
4.6 application. Additional hours may be authorized as needed based on the applicant's
4.7 participation in employment, education, or MFIP or DWP employment plans. To continue
4.8 receiving child care assistance after the initial three months, the applicant must verify that
4.9 the applicant meets eligibility and activity requirements for child care assistance under this
4.10 chapter.