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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 245

01/21/2021 Authored by Wazlawik

The bill was read for the first time and referred to the Committee on Human Services Finance and Policy

02/04/2021 Adoption of Report: Re-referred to the Committee on Early Childhood Finance and Policy without further recommendation

1.1 A bill for an act
1.2 relating to human services; establishing the family child care regulation
1.3 modernization project; appropriating money; requiring a report.

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

1.5 Section 1. **FAMILY CHILD CARE REGULATION MODERNIZATION.**

1.6 (a) The commissioner of human services shall contract with an experienced and
1.7 independent organization or individual consultant to conduct the work outlined in this
1.8 section. If practicable, the commissioner must contract with the National Association for
1.9 Regulatory Administration.

1.10 (b) The consultant must develop a proposal for a risk-based model for monitoring
1.11 compliance with family child care licensing standards, grounded in national regulatory best
1.12 practices. Violations in the new model must be weighted to reflect the potential risk they
1.13 pose to children's health and safety, and licensing sanctions must be tied to the potential
1.14 risk. The proposed new model must protect the health and safety of children in family child
1.15 care programs and be child-centered, family-friendly, and fair to providers.

1.16 (c) The consultant shall develop and implement a stakeholder engagement process that
1.17 solicits input from parents, licensed family child care providers, county licensors, staff of
1.18 the Department of Human Services, and experts in child development about appropriate
1.19 licensing standards, appropriate tiers for violations of the standards based on the potential
1.20 risk of harm that each violation poses, and appropriate licensing sanctions for each tier.

1.21 (d) The consultant shall solicit input from parents, licensed family child care providers,
1.22 county licensors, and staff of the Department of Human Services about which family child

2.1 care providers should be eligible for abbreviated inspections that predict compliance with
 2.2 other licensing standards for licensed family child care providers using key indicators
 2.3 previously identified by an empirically based statistical methodology developed by the
 2.4 National Association for Regulatory Administration and the Research Institute for Key
 2.5 Indicators.

2.6 (e) No later than February 1, 2024, the commissioner shall submit a report and proposed
 2.7 legislation required to implement the new licensing model to the chairs and ranking minority
 2.8 members of the legislative committees with jurisdiction over child care regulation.

2.9 **Sec. 2. APPROPRIATION; FAMILY CHILD CARE REGULATION**
 2.10 **MODERNIZATION.**

2.11 \$1,500,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
 2.12 of human services for the family child care regulation modernization project under section
 2.13 1. This is a onetime appropriation and remains available until June 30, 2024.