

**SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION**

S.F. No. 1840

(SENATE AUTHORS: HOFFMAN, Tomassoni and Eaton)

DATE	D-PG	OFFICIAL STATUS
02/25/2014	5836	Introduction and first reading Referred to Health, Human Services and Housing

1.1 A bill for an act
1.2 relating to human services; modifying the caregiver requirements for family
1.3 child care; amending Minnesota Statutes 2012, section 245A.02, subdivision 19;
1.4 proposing coding for new law in Minnesota Statutes, chapter 245A.

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

1.6 Section 1. Minnesota Statutes 2012, section 245A.02, subdivision 19, is amended to
1.7 read:

1.8 Subd. 19. **Family day care and group family day care child age classifications.**

1.9 (a) For the purposes of family day care and group family day care licensing under this
1.10 chapter, the following terms have the meanings given them in this subdivision.

1.11 (b) "Newborn" means a child between birth and six weeks old.

1.12 (c) "Infant" means a child who is at least six weeks old but less than 12 months old.

1.13 (d) "Toddler" means a child who is at least 12 months old but less than 24 months
1.14 old, except that for purposes of specialized infant and toddler family and group family day
1.15 care, "toddler" means a child who is at least 12 months old but less than 30 months old.

1.16 (e) "Preschooler" means a child who is at least 24 months old up to the school age of
1.17 ~~being eligible to enter kindergarten within the next four months.~~

1.18 (f) "School age" means a child who is at least ~~of sufficient age to have attended the~~
1.19 ~~first day of kindergarten, or is eligible to enter kindergarten within the next four months~~
1.20 five years of age, but is younger than 11 years of age.

1.21 Sec. 2. [245A.49] FAMILY CHILD CARE LICENSE HOLDERS; PRIMARY
1.22 CAREGIVERS; SUBSTITUTES.

2.1 (a) Children in a family child care or group family child care setting must
2.2 be supervised by a licensed provider, a qualified caregiver who meets the training
2.3 requirements for a family child care license holder under this chapter, or a substitute.

2.4 (b) The licensed provider must be the primary provider of care. The use of a
2.5 qualified caregiver in the absence of the licensed provider shall not exceed 40 percent
2.6 of the setting's total annual operating hours, and the use of a substitute is limited to 30
2.7 hours of care over any 12-month period.