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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3693

02/24/2020 Authored by Mann, Baker, Masin, Lee, Hamilton and others
The bill was read for the first time and referred to the Early Childhood Finance and Policy Division
03/12/2020 Adoption of Report: Amended and re-referred to the Health and Human Services Finance Division

1.1 A bill for an act
1.2 relating to child care; authorizing grants to expand access to child care for children
1.3 with disabilities; appropriating money.

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

1.5 Section 1. CHILDREN WITH DISABILITIES INCLUSIVE CHILD CARE ACCESS
1.6 EXPANSION GRANT PROGRAM.

1.7 Subdivision 1. Establishment. (a) The commissioner of human services shall establish
1.8 a competitive grant program to expand access to licensed family child care providers or
1.9 licensed child care centers for children with disabilities including medical complexities.
1.10 The commissioner shall award grants to counties or tribes, including at least one county
1.11 from the seven-county metropolitan area and at least one county or tribe outside the
1.12 seven-county metropolitan area, and grant funds shall be used to enable child care providers
1.13 to develop an inclusive child care setting and offer care to children with disabilities and
1.14 children without disabilities. Grants shall be awarded to at least two applicants beginning
1.15 no later than January 31, 2021.

1.16 (b) For purposes of this section, "child with a disability" means a child who has a
1.17 substantial delay or has an identifiable physical, medical, emotional, or mental condition
1.18 that hinders development.

1.19 (c) For purposes of this section, "inclusive child care setting" means child care provided
1.20 in a manner that serves children with disabilities in the same setting as children without
1.21 disabilities.

2.1 Subd. 2. Commissioner's duties. To administer the grant program, the commissioner
2.2 shall:

2.3 (1) consult with relevant stakeholders to develop a request for proposals that at least
2.4 requires grant applicants to identify the items or services, and estimated accompanying costs
2.5 where possible, needed to expand access to inclusive child care settings for children with
2.6 disabilities;

2.7 (2) develop procedures for data collection, qualitative and quantitative measurement of
2.8 grant program outcomes, and reporting requirements for grant recipients;

2.9 (3) convene a working group of grant recipients, partner child care providers, and
2.10 participating families to assess progress on grant activities, share best practices, and collect
2.11 and review data on grant activities; and

2.12 (4) by November 1, 2023, provide a report to the chairs and ranking minority members
2.13 of the legislative committees with jurisdiction over health and human services on the activities
2.14 and outcomes of the grant program, with legislative recommendations for implementing
2.15 inclusive child care settings statewide. The report shall be made available to the public.

2.16 Subd. 3. Grant activities. Grant recipients shall use grant funds for the cost of facility
2.17 modifications, resources, or services necessary to expand access to inclusive child care
2.18 settings for children with disabilities, including:

2.19 (1) onetime needs to equip a child care setting to serve children with disabilities, including
2.20 but not limited to environmental modifications; accessibility modifications; sensory
2.21 adaptation; training materials and staff time for training, including for substitutes; or
2.22 equipment purchases, including durable medical equipment;

2.23 (2) ongoing medical or disability-related services for children with disabilities in inclusive
2.24 child care settings, including but not limited to mental health supports; inclusion specialist
2.25 services; home care nursing; behavioral supports; coaching or training for staff and
2.26 substitutes; substitute teaching time; or additional child care staff, an enhanced rate, or
2.27 another mechanism to increase staff-to-child ratio; and

2.28 (3) other expenses determined by the grant recipient and each partner child care provider
2.29 to be necessary to establish an inclusive child care setting and serve children with disabilities
2.30 at the provider's location.

2.31 Subd. 4. Requirements for grant recipients. Upon receipt of grant funds and throughout
2.32 the grant period, grant recipients shall:

3.1 (1) partner with at least two but no more than five child care providers, each of which
3.2 must meet one of the following criteria:

3.3 (i) serve 29 or fewer children, including at least two children with a disability who are
3.4 not a family member of the child care provider if the participating child care provider is a
3.5 family child care provider; or

3.6 (ii) serve more than 30 children, including at least three children with a disability;

3.7 (2) develop and follow a process to ensure that grant funding is used to support children
3.8 with disabilities who, without the additional supports made available through the grant,
3.9 would have difficulty accessing an inclusive child care setting;

3.10 (3) pursue funding for ongoing services needed for children with disabilities in inclusive
3.11 child care settings, such as Medicaid or private health insurance coverage; additional grant
3.12 funding; or other funding sources;

3.13 (4) explore and seek opportunities to use existing federal funds to provide ongoing
3.14 support to family child care providers or child care centers serving children with disabilities.
3.15 Grant recipients shall seek to minimize family financial obligations for child care for a child
3.16 with disabilities beyond what child care would cost for a child without disabilities; and

3.17 (5) identify and utilize training resources for child care providers, where available and
3.18 applicable, for at least one of the grant recipient's partner child care providers.

3.19 Subd. 5. **Reporting.** Grant recipients shall report to the commissioner every six months,
3.20 in a manner specified by the commissioner, on the following:

3.21 (1) the number, type, and cost of additional supports needed to serve children with
3.22 disabilities in inclusive child care settings;

3.23 (2) best practices for billing;

3.24 (3) availability and use of funding sources other than through the grant program;

3.25 (4) processes for identifying families of children with disabilities who could benefit
3.26 from grant activities and connecting them with a child care provider interested in serving
3.27 them;

3.28 (5) processes and eligibility criteria used to determine whether a child is a child with a
3.29 disability and means of prioritizing grant funding to serve children with significant support
3.30 needs associated with their disability; and

3.31 (6) any other information deemed relevant by the commissioner.

4.1 **EFFECTIVE DATE.** This section is effective July 1, 2020.

4.2 Sec. 2. **APPROPRIATION; CHILDREN WITH DISABILITIES INCLUSIVE CHILD**
4.3 **CARE ACCESS EXPANSION GRANT PROGRAM.**

4.4 \$250,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
4.5 of human services for the inclusive child care access expansion grants in section 1. The
4.6 commissioner may use up to seven percent of the appropriation for administration and
4.7 technical assistance. The base for this appropriation is \$250,000 in fiscal year 2022 and
4.8 \$250,000 in fiscal year 2023. This is not an ongoing appropriation. The commissioner of
4.9 management and budget shall not include a base amount for this appropriation in fiscal year
4.10 2024. This section expires June 30, 2023.