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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2617

03/20/2025 Authored by Coulter, Nadeau, Kotyza-Witthuhn, Zeleznikar, West and others
The bill was read for the first time and referred to the Committee on Children and Families Finance and Policy

A bill for an act

relating to child care; modifying child care conditional license requirements; directing the commissioner to create standardized visit time lines and requirements; amending the definition of education; creating a background study liaison; appropriating money; amending Minnesota Statutes 2024, section 142B.16, subdivision 1.

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

Section 1. Minnesota Statutes 2024, section 142B.16, subdivision 1, is amended to read:

Subdivision 1. **Contents of correction orders and conditional licenses.** (a) If the commissioner finds that the applicant or license holder has failed to comply with an applicable law or rule and this failure does not imminently endanger the health, safety, or rights of the persons served by the program, the commissioner may issue a correction order and an order of conditional license to the applicant or license holder. When issuing a conditional license, the commissioner shall consider the nature, chronicity, or severity of the violation of law or rule and the effect of the violation on the health, safety, or rights of persons served by the program. The correction order or conditional license must state the following in plain language:

(1) the specific factual conditions observed by the licensor that constitute a violation of the law or rule;

(2) the specific law or rule violated;

(3) the time allowed to correct each violation; and

(4) if a license is made conditional, the length and terms of the conditional license, and the reasons for making the license conditional.

(b) Nothing in this section prohibits the commissioner from proposing a sanction as specified in section 142B.18, prior to issuing a correction order or conditional license.

(c) The commissioner may issue a correction order and an order of conditional license to the applicant or license holder through the provider licensing and reporting hub.

(d) Notwithstanding paragraph (a), if the commissioner finds that the applicant or license holder has failed to comply with an applicable law or rule and this failure does not imminently endanger the health, safety, or rights of the persons served by the program, the commissioner must only provide technical assistance to help correct the violation. If upon a subsequent inspection, the commissioner finds that the applicant or license holder has failed to correct the violation or has violated the same applicable law or rule again, the commissioner may issue a correction order and an order of conditional license to the applicant or license holder. This paragraph only applies to licensed child care centers and licensed family child care providers.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. **DIRECTION TO COMMISSIONER; STANDARDIZED LICENSING VISIT TIME LINES AND REQUIREMENTS.**

The commissioner of children, youth, and families must work with stakeholders to develop and implement a standardized time line and standards of licensor conduct for inspections of licensed family child care providers and licensed child care centers. The time line and standards developed by the commissioner must clearly identify:

(1) the steps of a licensing visit;

(2) the requirements expected of licensors and license holders before, during, and after the visit;

(3) the standards of conduct that licensors must follow during a visit;

(4) the rights of license holders;

(5) when and how license holders can request technical assistance; and

(6) how license holders can request additional review of an issue related to the visit from someone other than the assigned licensor.

The time line and standards must be implemented by January 1, 2026.

Sec. 3. **DIRECTION TO COMMISSIONER; AMENDING THE DEFINITION OF EDUCATION.**

The commissioner of children, youth, and families must amend Minnesota Rules, part 9503.0030, subpart 1, item B, to include any accredited course work from an accredited postsecondary institution that can reasonably be shown to be relevant to any skill necessary to meet the qualifications of a teacher.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. **DIRECTION TO COMMISSIONER; BACKGROUND STUDY LIAISON.**

By August 1, 2025, the commissioner of children, youth, and families must assign a designated and permanent child care background study liaison within the Department of Children, Youth, and Families who is able to timely communicate with licensed child care centers and family child care license holders about the background study process. The liaison must be responsible for helping ensure license holders receive accurate and timely information about the status of submitted background studies and for communicating to the commissioner any changes that are necessary to better facilitate the timely processing of the studies.

Sec. 5. **APPROPRIATION; STANDARDIZED LICENSING VISIT TIME LINES.**

$50,000 in fiscal year 2026 is appropriated from the general fund to the commissioner of children, youth, and families to develop and implement standardized licensing visit time lines and requirements for inspections of family child care programs and child care centers. This is a onetime appropriation.