

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 2082

(SENATE AUTHORS: WIKLUND)

DATE
03/13/2017

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Introduction and first reading
Referred to Human Services Reform Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
 1.2 relating to human services; requiring oversight and training of family child care
 1.3 licensors; requiring the commissioner to develop a training curriculum; amending
 1.4 Minnesota Statutes 2016, section 245A.16, subdivision 6, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 245A.16, subdivision 6, is amended to read:

1.7 Subd. 6. **Certification by commissioner.** The commissioner shall ensure that rules are
 1.8 uniformly enforced throughout the state by reviewing each county and private agency for
 1.9 compliance with this section and other applicable laws and rules at least every four years,
 1.10 except that the commissioner shall review county agency compliance with applicable family
 1.11 child care laws and rules and licensor training requirements once every two years. County
 1.12 agencies that comply with this section shall be certified by the commissioner. If a county
 1.13 agency fails to be certified by the commissioner, the commissioner shall certify a reduction
 1.14 of state administrative aids in an amount up to 20 percent of the county's state portion of
 1.15 Vulnerable Children and Adults Act funding.

1.16 Sec. 2. Minnesota Statutes 2016, section 245A.16, is amended by adding a subdivision to
 1.17 read:

1.18 Subd. 7. **Family child care licensing oversight.** (a) The commissioner shall develop a
 1.19 training curriculum for all county agency family child care licensors. The training curriculum
 1.20 shall include, but is not limited to, the following topics:

1.21 (1) family child care licensing standards, including health and safety standards, as defined
 1.22 in this chapter and Minnesota Rules, chapter 9502;

2.1 (2) family child care provider training requirements, including training requirements on
2.2 sudden unexpected infant death and abusive head trauma, as defined in section 245A.50;

2.3 (3) licensing functions, as defined in Minnesota Rules, part 9543.0030;

2.4 (4) license application procedures, as defined in Minnesota Rules, part 9543.0040;

2.5 (5) variance request procedures, as defined in Minnesota Rules, part 9543.0050;

2.6 (6) investigations of licensed and unlicensed programs, as defined in Minnesota Rules,
2.7 parts 9543.0070 and 9543.0080;

2.8 (7) correction orders and conditional licenses, as defined in Minnesota Rules, part
2.9 9543.0090;

2.10 (8) negative licensing actions, as defined in Minnesota Rules, part 9543.0100;

2.11 (9) enforcing orders, contested case proceedings, and informal dispositions, as defined
2.12 in Minnesota Rules, parts 9543.0110 and 9543.0120;

2.13 (10) administrative requirements, including maintaining records, as defined in Minnesota
2.14 Rules, part 9543.0130; and

2.15 (11) legislative changes to family child care licensing standards.

2.16 (b) County agency licensors shall complete the training curriculum in paragraph (a),
2.17 clauses (1) to (9), before conducting licensing inspections or investigations and once every
2.18 three years thereafter. This training must be provided by a county licensing supervisor or
2.19 by another licensor who has completed the training curriculum. Training required in
2.20 paragraph (a), clause (10), must be completed annually and the training required in paragraph
2.21 (a), clause (11), must be completed in a year in which there is legislative change to family
2.22 child care licensing standards.

2.23 (c) Any county agency licensor conducting licensing inspections or investigations before
2.24 the effective date of the training requirements in this subdivision shall complete the training
2.25 curriculum within one year of the training being made available by the commissioner.

2.26 (d) County agencies shall document and maintain a record of completed training that is
2.27 required in this section for each county licensor. County licensors must complete at least
2.28 six hours of annual training provided by the commissioner. The training curriculum in this
2.29 subdivision meets the ongoing training requirements set forth in Minnesota Rules, part
2.30 9543.0130.

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