

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 978**

(SENATE AUTHORS: KIFFMEYER, Utke, Relph, Draheim and Goggin)

DATE	D-PG	OFFICIAL STATUS
02/07/2019	299	Introduction and first reading Referred to Human Services Reform Finance and Policy
03/14/2019	935a	Comm report: To pass as amended
	977	Second reading
	4689	Rule 47, returned to Human Services Reform Finance and Policy See SF2

- 1.1 A bill for an act
- 1.2 relating to human services; modifying human services licensing provisions;
- 1.3 amending Minnesota Statutes 2018, section 245A.04, subdivision 4.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2018, section 245A.04, subdivision 4, is amended to read:
- 1.6 Subd. 4. **Inspections; waiver.** (a) Before issuing an initial license, the commissioner
- 1.7 shall conduct an inspection of the program. The inspection must include but is not limited
- 1.8 to:
- 1.9 (1) an inspection of the physical plant;
- 1.10 (2) an inspection of records and documents;
- 1.11 (3) an evaluation of the program by consumers of the program;
- 1.12 (4) observation of the program in operation; and
- 1.13 (5) an inspection for the health, safety, and fire standards in licensing requirements for
- 1.14 a child care license holder.
- 1.15 For the purposes of this subdivision, "consumer" means a person who receives the
- 1.16 services of a licensed program, the person's legal guardian, or the parent or individual having
- 1.17 legal custody of a child who receives the services of a licensed program.
- 1.18 (b) The evaluation required in paragraph (a), clause (3), or the observation in paragraph
- 1.19 (a), clause (4), is not required prior to issuing an initial license under subdivision 7. If the
- 1.20 commissioner issues an initial license under subdivision 7, these requirements must be
- 1.21 completed within one year after the issuance of an initial license.

2.1 (c) Before completing a licensing inspection in a family child care program or child care  
2.2 center, the licensing agency must offer the license holder an exit interview to discuss all  
2.3 violations of law or rule observed during the inspection and offer technical assistance on  
2.4 how to comply with applicable laws and rules. The commissioner shall not issue a correction  
2.5 order or negative action for violations of law or rule not discussed in an exit interview.

2.6 Nothing in this paragraph limits the ability of the commissioner to issue a correction order  
2.7 or negative action for violations of law or rule ~~not discussed in an exit interview~~ or in the  
2.8 event that a license holder chooses not to participate in an exit interview.

2.9 (d) The commissioner or the county shall inspect at least annually a child care provider  
2.10 licensed under this chapter and Minnesota Rules, chapter 9502 or 9503, for compliance  
2.11 with applicable licensing standards.

2.12 (e) No later than November 19, 2017, the commissioner shall make publicly available  
2.13 on the department's website the results of inspection reports of all child care providers  
2.14 licensed under this chapter and under Minnesota Rules, chapter 9502 or 9503, and the  
2.15 number of deaths, serious injuries, and instances of substantiated child maltreatment that  
2.16 occurred in licensed child care settings each year.