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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2657

03/08/2016 Authored by Mullery

The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to human services; modifying child care assistance provider payments;
1.3 amending Minnesota Statutes 2015 Supplement, section 119B.13, subdivision 6.

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

1.5 Section 1. Minnesota Statutes 2015 Supplement, section 119B.13, subdivision 6, is
1.6 amended to read:

1.7 Subd. 6. **Provider payments.** (a) The provider shall bill for services provided
1.8 within ten days of the end of the service period. If bills are submitted within ten days of
1.9 the end of the service period, payments under the child care fund shall be made within
1.10 ~~30~~ three days of receiving a bill from the provider. ~~Counties or the state may establish~~
1.11 ~~policies that make payments on a more frequent basis.~~

1.12 (b) If a provider has received an authorization of care and been issued a billing form
1.13 for an eligible family, the bill must be submitted within 60 days of the last date of service on
1.14 the bill. A bill submitted more than 60 days after the last date of service must be paid if the
1.15 county determines that the provider has shown good cause why the bill was not submitted
1.16 within 60 days. Good cause must be defined in the county's child care fund plan under
1.17 section 119B.08, subdivision 3, and the definition of good cause must include county error.
1.18 Any bill submitted more than a year after the last date of service on the bill must not be paid.

1.19 (c) If a provider provided care for a time period without receiving an authorization
1.20 of care and a billing form for an eligible family, payment of child care assistance may only
1.21 be made retroactively for a maximum of six months from the date the provider is issued
1.22 an authorization of care and billing form.

1.23 (d) A county or the commissioner may refuse to issue a child care authorization
1.24 to a licensed or legal nonlicensed provider, revoke an existing child care authorization

2.1 to a licensed or legal nonlicensed provider, stop payment issued to a licensed or legal
2.2 nonlicensed provider, or refuse to pay a bill submitted by a licensed or legal nonlicensed
2.3 provider if:

2.4 (1) the provider admits to intentionally giving the county materially false information
2.5 on the provider's billing forms;

2.6 (2) a county or the commissioner finds by a preponderance of the evidence that the
2.7 provider intentionally gave the county materially false information on the provider's
2.8 billing forms, or provided false attendance records to a county or the commissioner;

2.9 (3) the provider is in violation of child care assistance program rules, until the
2.10 agency determines those violations have been corrected;

2.11 (4) the provider is operating after:

2.12 (i) an order of suspension of the provider's license issued by the commissioner;

2.13 (ii) an order of revocation of the provider's license; or

2.14 (iii) a final order of conditional license issued by the commissioner for as long as the
2.15 conditional license is in effect;

2.16 (5) the provider submits false attendance reports or refuses to provide documentation
2.17 of the child's attendance upon request; or

2.18 (6) the provider gives false child care price information.

2.19 (e) For purposes of paragraph (d), clauses (3), (5), and (6), the county or the
2.20 commissioner may withhold the provider's authorization or payment for a period of time
2.21 not to exceed three months beyond the time the condition has been corrected.

2.22 (f) A county's payment policies must be included in the county's child care plan
2.23 under section 119B.08, subdivision 3. If payments are made by the state, in addition to
2.24 being in compliance with this subdivision, the payments must be made in compliance
2.25 with section 16A.124.