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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3437

03/21/2016 Authored by Flanagan and Yarusso

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; requiring oversight and training of family child care
1.3 licensors; requiring the commissioner to develop a training curriculum; amending
1.4 Minnesota Statutes 2014, 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 2014, section 245A.16, subdivision 6, is amended to read:

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

1.16 Sec. 2. Minnesota Statutes 2014, section 245A.16, is amended by adding a subdivision
1.17 to read:

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

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

- 2.1 (2) family child care provider training requirements, including training requirements
2.2 on 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
2.7 Rules, 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
2.12 defined in Minnesota Rules, parts 9543.0110 and 9543.0120;
2.13 (10) administrative requirements, including maintaining records, as defined in
2.14 Minnesota 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
2.17 (a), clauses (1) to (9), prior to conducting licensing inspections or investigations and
2.18 once every three years thereafter. This training must be provided by a county licensing
2.19 supervisor or by another licensor who has completed the training curriculum. Training
2.20 required in paragraph (a), clause (10), must be completed annually and the training
2.21 required in paragraph (a), clause (11), must be completed in years when there are
2.22 legislative changes to family child care licensing standards.
2.23 (c) Any county agency licensor conducting licensing inspections or investigations
2.24 prior to the effective date of the training requirements in this subdivision shall complete
2.25 the training curriculum within one year of the training being made available by the
2.26 commissioner.
2.27 (d) County agencies shall document and maintain a record of completed training that
2.28 is required in this section for each county licensor. County licensors must complete at
2.29 least six hours of annual training provided by the commissioner. The training curriculum
2.30 in this subdivision meets the ongoing training requirements set forth in Minnesota Rules,
2.31 part 9543.0130.

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