

Department of Human Services**Adopted Exempt Temporary Rules Relating to Child Care Provider Requirements for Payment from the Child Care Fund****3400.0120 ELIGIBLE PROVIDERS AND PROVIDER REQUIREMENTS.**

[For text of subpart 1, see Minnesota Rules]

Subp. 1a. **Provider acknowledgment.** A provider must sign a provider acknowledgment and the county must have a signed provider acknowledgment before the provider or parent may receive payment under the child care fund. The provider acknowledgment must include the following information:

[For text of items A to F, see Minnesota Rules]

G. a statement acknowledging that the provider is a mandated reporter of maltreatment of minors under Minnesota Statutes, ~~section 626.556~~ chapter 260E; and

[For text of item H, see Minnesota Rules]

[For text of subparts 1b to 5, see Minnesota Rules]

Subp. 6. Legal nonlicensed child care provider capacity and age distributions.

A. A legal nonlicensed child care provider, as defined by Minnesota Statutes, section 119B.011, subdivision 16, is eligible for payment from the child care fund for up to eight children who are 11 years of age and younger and for any additional children who are 12 years of age and older under Minnesota Statutes, section 119B.011, subdivision 4. The children must be:

(1) related to the child care provider;

(2) unrelated to the child care provider from a single family; or

(3) related to the child care provider and unrelated to the child care provider from a single family.

B. When a legal nonlicensed child care provider cares for children, the children must be within the following age distributions to be eligible for payment from the child care fund:

(1) there must be no more than two children who are at least six weeks old but less than 12 months old;

(2) there must be no more than three children who are less than 24 months old within the age limits of subitem (1); and

(3) there must be no more than six children who are five years of age or younger within the age limits of subitems (1) and (2).

C. An administering agency must consider the following factors when authorizing child care with a legal nonlicensed child care provider:

(1) Children who are 11 years of age and younger count toward the eight-child limit. An administering agency may authorize child care for children who are 12 years of age and older up to the ages allowed by Minnesota Statutes, section 119B.011, subdivision 4. Children who are 12 years of age and older do not count toward the eight-child limit.

(2) The total number of children who are 11 years of age and younger must include the legal nonlicensed child care provider's own children when the child care provider's own children are present at the child care site.

(3) The limit of eight children who are 11 years of age and younger applies at all times to the child care site.