



Support of H.F. No. 1680

Our association is offering our support of HF1680 which seeks to further clarify the attendance record keeping requirement for child care providers who receive CCAP payments (found in Minn. Stat. Section 119B.25 Subd.6.)

The single most fraudulent document that center owners provide to county and OIG investigators are falsified attendance records. While the current statute seems to clearly state that providers must make their attendance records immediately available to the county or state upon request, there is no language in the statute that prevents the provider from later producing these records, which are often falsified, at an appeal hearing in order to avoid a large overpayment that resulted from the failure to immediately produce the records. Human services judges are then ruling that the newly produced attendance records will be accepted as evidence that the child was in fact in the provider's care during the time period in question and there are virtually no consequences for the provider's failure to comply with the record keeping requirement in the statute. Prosecutors are then refusing to charge these cases criminally because the attendance records were allowed to be produced after the fact. The additional language provided in this bill will not allow the newly produced records to be used for establishing proof that a child was present during the time period in question and will provide for the establishment of an overpayment against the provider in these instances.

We are not being fair and impartial by allowing some providers to produce attendance records after the fact when we also have providers that do follow the rules and comply with the request to immediately produce the attendance records. It appears to be a very convenient ploy for providers to be able to produce records months later and then still appear to be in compliance. Under the current language, the same standard is not being applied to all centers and providers. We need to level the playing field and make sure the rules are fair and impartial for all of our providers.

Not only is our association focused toward the prevention, detection, prosecution and elimination of fraud in public assistance programs, but we are also committed to the reduction of waste and abuse in publicly funded programs. We must close the loopholes that lead to waste and abuse in taxpayer funded programs. By closing the child care attendance record loophole, we provide the opportunity for the 3,000 children and families who are on the CCAP waiting list to have access to quality child care so that parents can move out of poverty and into self-sufficiency and financial independence.

Respectfully,

Crystal S. Herman
MFIA President