

1.1 moves to amend H.F. No. 13, the first engrossment, as follows:

1.2 Page 3, after line 19, insert:

1.3 "Sec. Minnesota Statutes 2022, section 119B.13, subdivision 6, is amended to read:

1.4 Subd. 6. **Provider payments.** (a) A provider shall bill only for services documented
1.5 according to section 119B.125, subdivision 6. The provider shall bill for services provided
1.6 within ten days of the end of the service period. Payments under the child care fund shall
1.7 be made within 21 days of receiving a complete bill from the provider. Counties or the state
1.8 may establish policies that make payments on a more frequent basis.

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

1.17 (c) If a provider provided care for a time period without receiving an authorization of
1.18 care and a billing form for an eligible family, payment of child care assistance may only be
1.19 made retroactively for a maximum of three months from the date the provider is issued an
1.20 authorization of care and a billing form. For a family at application, if a provider provided
1.21 child care during a time period without receiving an authorization of care and a billing form,
1.22 a county may only make child care assistance payments to the provider retroactively from
1.23 the date that child care began, or from the date that the family's eligibility began under
1.24 section 119B.09, subdivision 7, or from the date that the family meets authorization

2.1 requirements, not to exceed six months from the date that the provider is issued an
2.2 authorization of care and a billing form, whichever is later.

2.3 (d) A county or the commissioner may refuse to issue a child care authorization to a
2.4 certified, licensed, or legal nonlicensed provider, revoke an existing child care authorization
2.5 to a certified, licensed, or legal nonlicensed provider, stop payment issued to a certified,
2.6 licensed, or legal nonlicensed provider, or refuse to pay a bill submitted by a certified,
2.7 licensed, or legal nonlicensed provider if:

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

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

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

2.15 (4) the provider is operating after:

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

2.17 (ii) an order of revocation of the provider's license issued by the commissioner; or

2.18 (iii) an order of decertification issued to the provider;

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

2.21 (6) the provider gives false child care price information; or

2.22 (7) the provider fails to report decreases in a child's attendance as required under section
2.23 119B.125, subdivision 9.

2.24 (e) A county or commissioner must refuse to issue a child care authorization to a certified,
2.25 licensed, or legal nonlicensed provider; revoke an existing child care authorization to a
2.26 certified, licensed, or legal nonlicensed provider; stop payment issued to a certified, licensed,
2.27 or legal nonlicensed provider; or refuse to pay a bill submitted by a certified, licensed, or
2.28 legal nonlicensed provider if the county or commissioner learns that the provider, the
2.29 provider's spouse, or any controlling individual, as defined under section 245A.02,
2.30 subdivision 5a, of the child care program has been charged in any state or federal court with
2.31 wrongfully obtaining assistance from any federal child nutrition program.

3.1 ~~(e)~~ (f) For purposes of paragraph (d), clauses (3), (5), (6), and (7), the county or the
3.2 commissioner may withhold the provider's authorization or payment for a period of time
3.3 not to exceed three months beyond the time the condition has been corrected.

3.4 ~~(f)~~ (g) A county's payment policies must be included in the county's child care plan under
3.5 section 119B.08, subdivision 3. If payments are made by the state, in addition to being in
3.6 compliance with this subdivision, the payments must be made in compliance with section
3.7 16A.124.

3.8 ~~(g)~~ (h) If the commissioner or responsible county agency suspends or refuses payment
3.9 to a provider under paragraph (d), clause (1) or (2), or chapter 245E and the provider has:

3.10 (1) a disqualification for wrongfully obtaining assistance under section 256.98,
3.11 subdivision 8, paragraph (c);

3.12 (2) an administrative disqualification under section 256.046, subdivision 3; or

3.13 (3) a termination under section 245E.02, subdivision 4, paragraph (c), clause (4), or
3.14 245E.06;

3.15 then the provider forfeits the payment to the commissioner or the responsible county agency,
3.16 regardless of the amount assessed in an overpayment, charged in a criminal complaint, or
3.17 ordered as criminal restitution.

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

3.19 Renumber the sections in sequence and correct the internal references

3.20 Amend the title accordingly