

House Research Act Summary

CHAPTER: 264

SESSION: 2006 Regular Session

TOPIC: Child Care Assistance, Child Care Licensing, MA Managed Care, and Runaway and Homeless Youth Act

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Overview

This act modifies certain child care assistance requirements, modifies certain child care licensing requirements, provides for the responsible agency for assessing or investigating reports of maltreatment, regulates MA managed care, establishes a runaway and homeless youth act, and establishes the Ramsey County child care pilot project.

Section

- 1** **Commissioner of human services.** Allows counties to use up to 6 percent of either calendar year 2008 or 2009 basic sliding fee child care allocations to fund accelerated payments that may occur during the preceding calendar year during the conversion to the automated child care assistance program system. Allows counties to use up to 3 percent of the combined calendar year allocations to fund accelerated payments if the conversion occurs over two calendar years. Makes this paragraph sunset December 31, 2009.

Allows the commissioner to allocate increased child care funds from the federal Deficit Reduction Act of 2005 for the basic sliding fee child care program.
- 2** **Funding priority.** Amends § 119B.03, subd. 4. Adds a fourth priority for basic sliding fee child care assistance for families in which at least one parent is a veteran of the U.S. armed forces.
- 3** **Persons who cannot be authorized.** Amends § 119B.125, subd. 2. Changes what constitutes disqualification as a provider from an individual "alleged" to be responsible for

Section

physical or sexual abuse of a child to an individual "found by a preponderance of evidence" to be responsible for physical or sexual abuse of a child.

- 4 In-service training.** Amends § 245A.023 by adding para. (b). Provides that the license holder and each primary caregiver in family and group family child care programs must complete eight hours of training each year. Defines "primary caregiver."
- 5 Early childhood development training.** Amends § 245A.14 by adding subd. 9a. Paragraph (a). Requires at least two hours of early childhood development training for child care center directors and staff during the first year of employment.

Paragraph (b). Requires at least two hours of early childhood development training during the first year of licensure or employment for the license holder and any adult caregiver who provides care in a family or group family child care program more than 30 days in a 12-month period.

Paragraph (c). Provides that an individual is exempt from the requirements in paragraphs (a) and (b) if the individual has taken a three credit course on early childhood development within the past five years; has received a baccalaureate or masters degree in early childhood education within the past five years; is licensed in Minnesota as a prekindergarten teacher, an early childhood educator, a kindergarten to sixth grade teacher with a prekindergarten specialty, an early childhood special education teacher, or an elementary teacher with a kindergarten endorsement; or has received a baccalaureate degree with a Montessori certificate within the past five years.

- 6 First aid training requirements.** Amends § 245A.14, subd. 12. Provides that all teachers and assistant teachers in a child care center, and that at least one employee who accompanies children on field trips and when transporting children, must complete first aid training within 90 days of employment. Waives this requirement if first aid training has been completed within the previous three years. Requires training to be repeated at least every three years. States training must be conducted by an approved first aid instructor. Requires day care centers to document completion of training in the employee's personnel file and the center staffing chart.
- 7 License holder documentation of cribs.** Amends § 245A.146, subd. 3. Adds that a family child care provider may use a mesh-sided playpen or crib that has not been identified as unsafe on the United States Consumer Product Safety Commission website for the care or sleeping of infants.
- 8 Crib safety standards and inspection.** Amends § 245A.146, subd. 4. Requires the license holder to perform monthly safety inspections to ensure that a noncompressed mattress in a non-full-size crib when centered in the crib does not have a gap of more than one-half inch between mattress and perimeter of crib. In a full-size crib, the gap between a centered mattress and crib perimeter can be no more than 11/16 inch at any point.
- 9 Classification of certain data.** Amends § 245C.22, subd. 7. Provides that the set-aside of a disqualification or a variance to a license holder is not public data if the subject of the set-aside or variance is for a household member who resides in the residence, who is under age 18, and the set aside or variance is related only to a disqualification for a misdemeanor theft crime as defined in section 609.52.
- 10 Permanent bar to set aside a disqualification.** Amends § 245C.24, subd. 2. Allows the commissioner to consider granting a variance for individuals employed in the adult chemical dependency field disqualified for a crime or conduct under section 245C.15,

Section

subdivision 1, and whose disqualification was set aside prior to July 1, 2005. Provides that the request for reconsideration must be accompanied by a letter of recommendation from the license holder that was subject to the prior set aside and addressing the individual's quality of care to children and vulnerable adults. The letter must include the circumstances of the individual's departure from employment.

- 11 Notification of set-aside or variance.** Amends § 245C.301. Provides that notice regarding a set-aside or variance does not need to be given if the subject of the set-aside or variance is a household member who resides in the residence, is under age 18, and the set aside or variance is related only to a disqualification for a misdemeanor theft crime as defined in section 609.52.
- 12 Commissioner's authority.** Amends § 256B.692, subd. 6. Makes technical changes.
- 13 Runaway and homeless youth act.** Establishes § 256K.60.

Subd. 1. Definitions. Defines "commissioner," "homeless youth," "youth at risk of homelessness," and "runaway."

Subd. 2. Homeless and runaway youth report. Requires the commissioner to develop a report for homeless youth, youth at risk of homelessness, and runaways. Specifies that the report must include coordination of certain services.

Subd. 3. Street and community outreach and drop-in program. Specifies some of the services that may be provided by youth drop-in centers and street and community outreach programs.

Subd. 4. Emergency shelter program. Specifies the services that must be provided by emergency shelter programs and some additional services that may be provided by these programs.

Subd. 5. Supportive housing and transitional living programs. Specifies the services that must be provided by transitional living programs and some additional services that may be provided by these programs.

- 14 Local welfare agency, Department of Human Services or Department of Health responsible for assessing or investigating reports of maltreatment.** Amends § 626.556, subd. 3c. Instructs the commissioners of human services, public safety, and education to submit a written report to the education policy and finance committees of the legislature by January 15, 2007. This report must include recommendations regarding the allocation of agency responsibility for assessing or investigating reports of maltreatment that currently are not the responsibility of a designated agency.
- 15 Sole-source or single-plan managed care contract.** Amends Laws 2005, First Special Session ch. 4, art. 8, § 84. Requires the commissioner of human services to approve a county-based purchasing proposal submitted on behalf of Cass, Crow Wing, Morrison, Todd, and Wadena counties that requires county-based purchasing on a single plan basis, if the proposal does not limit provider choice or access to services, and all other requirements related to health plan purchasing are satisfied. Also directs the commissioner to continue single health plan purchasing arrangements in the service areas in existence on May 1, 2006, including arrangements for which a proposal was submitted by May 1, 2006, on behalf of the five counties. Requires the commissioner to consider contracting on a single-plan basis with county-based purchasing plans or other health plans that coordinate with counties, to serve persons with disabilities who voluntarily enroll, provided that specified

Section

requirements are met. Requires the commissioner, by January 15, 2007, to report to relevant legislative chairs on the advantages and disadvantages of using single-plan health care purchasing to serve persons with disabilities, and specifies other criteria for the report. Also updates and revises existing language on single-plan contracting.

16 Ramsey County child care pilot project.

Subd. 1. Authorization for pilot project. Requires the commissioner of human services to approve a pilot project in Ramsey County that will help teen parents stay in school while providing child care assistance for the student's child. Requires the project to increase coordination between services from the MFIP and child care assistance programs and area public schools.

Subd. 2. Program design and implementation. Specifies that the pilot project is established to improve the coordination of services to teen parents. Provides that the project shall: (1) provide a streamlined process for sharing information between certain programs; (2) determine eligibility for child care assistance using the teen parent's eligibility for reduced-cost or free school lunches in place of income verification; and (3) waive the child care assistance parental fee for teen parents whose income is below poverty level and whose children attend school-based child care centers.

Subd. 3. Costs. Prohibits increased costs incurred under this section from increasing the basic sliding fee appropriation.