



Subject Child care provider licensing, training, and staffing requirements
Authors Pryor
Analyst Annie Mach
Date March 4, 2020

Overview

This bill modifies training requirements for family child care license holders and individuals who supervise or assist in caring for children. The bill directs the commissioner of human services to consult with family child care license holders and county agencies to determine whether family child care licenses should automatically renew instead of requiring licenses holders to reapply for licensure. The bill also makes changes to training for substitutes and unsupervised volunteers at child care centers and permits certified, license-exempt child care centers to continue serving children over age 13 under certain circumstances.

Summary

Section	Description
1	Annual or annually; family child care training requirements. Amends § 245A.02, subdivision 2c. Applies the subdivision’s definition of “annual” and “annually” to all of section 245A.50, relating to family child care training requirements, and to section 245A.53, relating to substitute caregivers and replacements in family child care settings. The change is effective September 30, 2020.
2	Supervision of family child care license holder’s own child. Amends § 245A.149. Adds that a family child care license holder must give consent in order for an individual who is exempt from specified training and supervision requirements to be allowed to supervise the license holder’s child in a licensed space. Expands who may supervise a license holder’s child in a licensed space to include an individual related to the license holder’s child or a household member who the license holder has reported to a county agency. These changes are effective September 30, 2020.

Section	Description
3	In-service. Amends § 245A.40. Changes the in-service training requirements substitutes and unsupervised volunteers at child care centers must complete. The change is effective the day following enactment.
4	Family child care training requirements. Amends § 245A.50. Subd. 1. Initial training. Modifies the subdivision by specifying the training requirements family child care license holders, caregivers, substitutes, and helpers must complete before initial licensure or caring for a child. Subd. 1a. Definitions and general provisions. Adds a new subdivision that: (1) defines terms; (2) provides that certain courses identified in the knowledge and competency areas that are specific to child care centers or legal nonlicensed providers do not fulfill the training requirements of this section; and (3) specifies when training needs to be retaken. Subd. 2. Child development and learning and behavior guidance training. Modifies current law requiring license holders and caregivers to complete at least four hours of child development and learning and behavior guidance training prior to initial licensure and before caring for children. Identifies courses that license holders and caregivers can take to fulfill the requirement that they complete at least two hours of child development and learning training or behavior guidance training annually. Subd. 3. First aid. Modifies current law first aid requirements by requiring license holders, caregivers, and substitutes to complete pediatric first aid training before licensure or caring for children and every two years thereafter. Under current law, at least one staff person trained in first aid must be present in a licensed space, that person must repeat first aid training every two years, and substitute caregivers who provide less than 30 hours of care during any 12 month period are exempt from first aid training requirements. Subd. 4. Cardiopulmonary resuscitation (CPR). Modifies current law CPR requirements by requiring license holders, caregivers, and substitutes to complete pediatric CPR training before licensure or caring for children and every two years thereafter. Changes the requirements for what must be included in pediatric CPR training. Under current law, at least one staff person trained in CPR must be present in a licensed space, that person must repeat CPR training every two years, and substitute caregivers who provide less than 30 hours of care during any 12 month period are exempt from CPR training requirements.

Section	Description
	Subd. 5. Sudden unexpected infant death and abusive head trauma training. Specifies that license holders, caregivers, substitutes, and helpers must all receive the current law training about reducing sudden unexpected infant death and the risk of abusive head trauma before caring for infants or children under school age.
	Subd. 6. Child passenger restraint systems; training requirement. Specifies that a license holder must ensure that any caregiver, substitute, or helper who places a child under age eight in a passenger restraint has successfully complete the training required under current law.
	Subd. 7. Ongoing training requirements for family and group family child care license holders and caregivers. Applies the requirement for license holders to complete 16 hours of ongoing training each year to caregivers, as well. Specifies the types of ongoing training license holders and caregivers must annually complete.
	Subd. 8. Ongoing training requirements for substitutes and helpers. Deletes current law requirements for other ongoing training. Specifies the ongoing training substitutes and helpers must annually complete.
	Subd. 9. Supervising for safety; training requirement. Deletes this subdivision.
	Subd. 12. Documentation. Adds a new subdivision requiring license holders to document completed trainings required by this section for the license holder and each caregiver, substitute, and helper.

The changes in this section are effective September 30, 2020.

- 5

Maximum group size.

Amends § 245H.08, subdivision 4. Provides that a certified, license-exempt child care center may continue to serve a child over age 13 if one of the following conditions is met: (1) the child is eligible for child care assistance until redetermination; or (2) the center serves children in a middle-school-only program, which is defined as serving grades 6 through 8. This change is effective the day following enactment.
- 6

Ratios.

Amends § 245H.08, subdivision 5. Provides that a certified, license-exempt child care center may continue to serve a child over age 13 if one of the following conditions is met: (1) the child is eligible for child care assistance until redetermination; or (2) the center serves children in a middle-school-only program, which is defined as serving grades 6 through 8. This change is effective the day following enactment.

Section	Description
7	Direction to the commissioner; evaluation of continuous licenses. Directs the commissioner of human services, by January 1, 2021, to consult with family child care license holders and county agencies to determine whether family child care licenses should automatically renew instead of requiring licenses holders to reapply for licensure. If the commissioner determines that licenses should automatically renew, the commissioner must propose legislation for automatic renewal for the 2021 legislative session.
8	Repealer. Repeals the following: ▪ Minnesota Statutes 2018, section 245A.144 - Training on risk of sudden unexpected infant death and abusive head trauma for child foster care providers; ▪ Minnesota Statutes 2018, section 245A.175 - Child foster care training requirement; mental health training; fetal alcohol spectrum disorders training; ▪ Minnesota Rules, part 2960.3070 - Foster parent training; and ▪ Minnesota Rules, part 2960.3210 - Staff training requirements.



Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.

www.house.mn/hrd | 651-296-6753 | 600 State Office Building | St. Paul, MN 55155