

INTERIM REPORT
IMPLEMENTATION OF THE "CHILD CARE SERVICES ACT"

August 12, 1986

Prepared For:

**MINNESOTA HOUSE OF REPRESENTATIVES
HEALTH AND HUMAN SERVICES COMMITTEE
TASK FORCE ON CHILD CARE**

**The Honorable Steve Sviggum
Chair**

Prepared By:

**MINNESOTA DEPARTMENT OF HUMAN SERVICES
DIVISION OF LICENSING**

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PURPOSE

The purpose of this report is to provide information on the status of the Department of Human Services, Division of Licensing's: (a) accomplishments to date; (b) work in progress; and, (c) difficulties encountered in implementation of the "Child Care Services Act". This interim report portrays the status of these efforts as of August 12, 1986.

ACCOMPLISHMENTS TO DATE

Our strategy for implementing the "Child Care Services Act" (CCSA) is comprised of two principal tactics.

(1) Begin implementation of those parts of the CCSA that do not require structural, procedural or personnel changes in the Division's routine functioning.

(2) Make the structural, procedural and personnel changes that will be required to successfully implement the requirements of the CCSA and report to the Legislature by January 1, 1987.

Accomplishment #1: Informed county agencies and providers of changes in rules and law resulting from enactment of CCSA.

a. Wrote and promulgated Informational Bulletins informing county agencies of the enactment and requirements of CCSA (DHS Informational Bulletin #86-50A).

b. Wrote and promulgated an Informational Bulletin informing county agencies and providers of changes in Minnesota Rules, Parts 9502.0315 to 9502.0445 (Formerly Rule 2) (DHS Informational Bulletins #86-50B and #86-50C).

c. Scheduled and conducted a meeting, in St. Cloud, MN, with representatives of provider organizations from throughout the state to discuss DHS plans for implementation of the CCSA, answer questions and solicit input on implementation plans.

d. Conducted an orientation for DHS child care licensing staff on the requirements of CCSA and the anticipated effect on child care centers.

e. Conducted an orientation to the CCSA (jointly with the State Fire Marshal's Division) at the annual statewide meeting of county family day care licensors.

f. Collaborated with representatives of the State Fire Marshal's Division in writing a memorandum to State Fire Marshal Staff and to Fire Departments (c.f. Wes Werner memorandum of 4/28/86 and Richard P. Larson memorandum of 4/28/86) informing them of changes resulting from enactment of CCSA.

Accomplishment #2: Conducted training for state and county licensing personnel on the prevention of child abuse and child development principles in family day care homes and child care centers.

This training consists of a series of inservice training workshops that have been conducted at regional sites throughout the state. The entire series of workshops will be completed by September 30, 1986.

Accomplishment #3: Developed software and procedures for automated family day care/foster care licensing system.

The former computerized system for processing and issuing family day care and family foster care licenses has been obsolete for a few years. The obsolescence of this system resulted in: (a) delays in issuing licenses; (b) delays in provider registration in the USDA Food Program because of delays and inaccuracies in transferring DHS file information to the Department of Education; (c) inaccurate database on the number and characteristics of day care homes; and (d) general consternation on the part of providers, county licensors and DHS managers.

The new automated system will be fully operational by October, 1986 and will eliminate the problems that were associated with the old system.

Accomplishment #4: Developed software and procedures for a statewide database which: (a) provides data for use in ongoing evaluation of the effects of family day care and day care center rules; and (b) provides a continuous assessment of the training needs of providers with respect to rule compliance.

The development work and field testing has been completed and training of county and state licensors in data collection will be conducted in early September.

Accomplishment #5: Established a state/county management group which meets regularly to identify and solve systemic problems in the family day care licensing system.

This group is comprised of state- and county-level managers responsible for managing the family day care licensing system and implementing the CCSA.

Accomplishment #6: Assigned a child care professional, who is familiar with the operations of the family day care industry, to supervise the routine functioning of state and county licensing operations, and provide technical assistance to providers and county personnel.

Accomplishment #7: Assigned 1.0 FTE to activities related to the implementation of CCSA.

COST OF ACCOMPLISHMENTS

Because there was no appropriation that accompanied enactment of the CCSA, the costs associated with implementation have and will continue to be paid by reallocation of Division of Licensing staff resources and redirection of federal grant funds to pay for allowable expenditures. The impact of staff reallocation has been as follows:

- (1) Routine inspection of facilities has been slowed;
- (2) Division of Licensing work assignments related to the promulgation of Rule 3 has been slowed;
- (3) Resolution of complaints where health and safety are not immediately endangered has been delayed.

WORK IN PROGRESS

The following implementation activities are currently in progress.

- (1) Development, printing and distribution of a brochure that explains the requirements of the rule in non-technical language.
- (2) Development, distribution and analysis of a survey questionnaire that solicits input from parents, providers and professionals throughout the state regarding the relative importance of each part of the rule. This information will be used in assigning relative weights to rule provisions and establishing a standard of "substantial compliance".
- (3) Field test of protocol for inspections using the "substantial compliance" methodology. The field test will be conducted in volunteer areas. Geographical and demographic diversity will be taken into account in selecting field test sites.

(4) Analyze field test data and make necessary adjustments to the protocol.

(5) Prepare and submit report to the Legislature with results of our implementation efforts and recommendations.

IMPLEMENTATION PROBLEMS

The following are problems that we have identified, or that persist, as we proceed with implementation of the CCSA.

- (1) Scattered inconsistency in local enforcement of fire and building requirements;
- (2) County licensing caseload back logs;
- (3) Availability of liability insurance as it related to enforcement of the rule.