

# Administration of the Child Care Assistance Program

## 2018-2019 Clay County and Tribal Child Care Fund Plan

### Administration of the Child Care Assistance Program

**Background:** Counties and tribes must submit a biennial Child Care Fund Plan to the commissioner. Child Care Assistance Program (CCAP) rules and laws allow counties and tribes to establish some local policies and procedures. These local policies and procedures, when included in this plan and approved by the commissioner, are considered county/tribal policy and are used to support agency decisions during appeals. The Department of Human Services (DHS) will review and approve County and Tribal Child Care Fund Plans. Counties and tribes will receive approval letters for their Child Care Fund Plans from the commissioner of DHS. This plan period begins on January 1, 2018.

**Minnesota Statute, section 119B.08, subdivision 3**

Steps to complete the plan process:

#### Step One – Review the plan

Determine if there are changes to policies or procedures compared to previous plans, or if there are new policies or procedures. Involve other staff as needed.

*Note:* New questions were added and questions were re-ordered.

#### Step Two – Draft the plan responses

#### Step Three – Inform or involve stakeholders

DHS encourages counties and tribes to develop optional policies for the Child Care Assistance Program in coordination with local child care stakeholders. This may include: parents, child care providers, culturally specific service organizations, Child Care Aware agencies (formerly known as child care resource and referral agencies), interagency early intervention committees, potential collaborative partners and agencies involved in the provision of care and education to young children. Consult with other agency staff such as fraud investigators, income maintenance and employment services staff.

#### Step Four – Share the draft plan

Prior to submission, make copies of the proposed plan available to the public and allow sufficient time for public review and comment. See question II.D of this plan; describe methods used to make the plan available to the public, particularly to those members listed in II.D.

#### Step Five – Submit the plan by the deadline

Submit the plan by the deadline, and note these guidelines:

- Identify all optional county/tribal Child Care Assistance Program policies; see question IX.A.
- Do not answer questions by stating that the reviewer should refer to a previous plan.
- Submit any agency-developed forms that have not been previously submitted and approved. Do not submit DHS and MEC<sup>2</sup> standardized forms. Refer to the DHS memo announcing this plan for a list of DHS created documents that are required for CCAP.
- Provide an answer to each question. Incomplete plans will be returned.

#### Amendments to plans

A county or tribe may amend their Child Care Fund Plan at any time, but the commissioner must approve the amendment before it becomes effective. If approved by the commissioner, the amendment is effective on the date requested by the agency unless a different effective date is set by the commissioner. Plan amendments must be approved or denied by the commissioner within 60 days after receipt of the amendment request.

**Minnesota Rules, part 3400.0150, subpart 3**

Amendments include changes in county/tribal contacts, county/tribal optional policies, new or revised forms and notices. Amendments can be sent in letter form or by email to the agency's CCAP policy specialist.

Return completed plans by **Tuesday, September 19, 2017** to:

[DHS.CCAP@state.mn.us](mailto:DHS.CCAP@state.mn.us)

# Administration of the Child Care Assistance Program

## I. Child Care Assistance Program contacts

### A. County or tribal agency

COUNTY OR TRIBE NAME Clay	GENERAL PHONE NUMBER 218-299-5200	EXTENSION	GENERAL FAX NUMBER 218-299-7515
AGENCY'S FULL NAME Clay County Social Services		CCAP INTAKE PHONE NUMBER 218-291-5770	EXTENSION
MAIN OFFICE STREET ADDRESS 715 11th Street North #102	CITY Moorhead	ZIP CODE 56560	
MAIN OFFICE MAILING ADDRESS (if different)	CITY	ZIP CODE	

### B. County or tribal branch office (if applicable)

BRANCH NAME	GENERAL PHONE NUMBER	EXTENSION	GENERAL FAX NUMBER	CCAP INTAKE PHONE NUMBER	EXTENSION
ADDRESS OF BRANCH OFFICE		CITY		ZIP CODE	

### C. Agency contact people

This contact information is required to be completed and will be used by DHS staff to communicate with counties or tribes.

#### 1. County or tribal CCAP administrative contact

Who is your primary contact for DHS CCAP?

<input checked="" type="radio"/> Mr. <input type="radio"/> Mrs. <input type="radio"/> Ms.	FIRST NAME Larry	LAST NAME Young			
TITLE Financial Assistance Supervisor		PHONE NUMBER 218-299-7111	EXTENSION	FAX NUMBER 218-299-7106	
EMAIL ADDRESS larry.young@co.clay.mn.us		SIR EMAIL ADDRESS x114561@cty.dhs.state.mn.us			
ADDRESS 715 11th Street North #102		CITY Moorhead		ZIP CODE 56560	

#### 2. County or tribal client access contact

Who is your lead person/s who has contact with families receiving CCAP?

<input type="radio"/> Mr. <input type="radio"/> Mrs. <input checked="" type="radio"/> Ms.	FIRST NAME Dawn	LAST NAME Envik			
TITLE Financial Assistance Specialist		PHONE NUMBER 218-299-7068	EXTENSION	FAX NUMBER 218-299-7106	
EMAIL ADDRESS dawn.envik@co.clay.mn.us		SIR EMAIL ADDRESS x114554@cty.dhs.state.mn.us			
ADDRESS 715 11th Street North #102		CITY Moorhead		ZIP CODE 56560	

<input type="radio"/> Mr. <input type="radio"/> Mrs. <input checked="" type="radio"/> Ms.	FIRST NAME Jennifer	LAST NAME Landers		
TITLE Eligibility Worker		PHONE NUMBER 218-299-7055	EXTENSION	FAX NUMBER 218-299-7106
EMAIL ADDRESS jennifer.landars@co.clay.mn.us		SIR EMAIL ADDRESS x114484@cty.dhs.state.mn.us		
ADDRESS 715 11th Street North		CITY Moorhead		ZIP CODE 56560
<input type="radio"/> Mr. <input type="radio"/> Mrs. <input checked="" type="radio"/> Ms.	FIRST NAME Jamie	LAST NAME Davies		
TITLE Eligibility Worker		PHONE NUMBER 218-299-7079	EXTENSION	FAX NUMBER 218-299-7106
EMAIL ADDRESS jamie.davies@co.clay.mn.us		SIR EMAIL ADDRESS x114596@cty.dhs.state.mn.us		
ADDRESS 715 11th Street North		CITY Moorhead		ZIP CODE 56560

### 3. Management of waiting list contact

Who is your waiting list contact person? The waiting list contact person identified is responsible for maintaining the waiting list and responding to the state's questions about families reported on the waiting list. Only identify one waiting list contact.

<input type="radio"/> Mr. <input type="radio"/> Mrs. <input checked="" type="radio"/> Ms.	FIRST NAME Dawn	LAST NAME Envik		
TITLE Financial Assistance Specialist		PHONE NUMBER 218-299-7068	EXTENSION	FAX NUMBER 218-299-7106
EMAIL ADDRESS dawn.envik@co.clay.mn.us		SIR EMAIL ADDRESS x114554@cty.dhs.state.mn.us		
ADDRESS 715 11th Street North #102		CITY Moorhead		ZIP CODE 56560

### 4. Provider billing contact

Who is your lead billing contact person who is able to answer questions about billing and payments?

<input type="radio"/> Mr. <input type="radio"/> Mrs. <input checked="" type="radio"/> Ms.	FIRST NAME Kathy	LAST NAME Otte		
TITLE Statistical Specialist		PHONE NUMBER 218-299-7045	EXTENSION	FAX NUMBER
EMAIL ADDRESS kathy.otte@co.clay.mn.us		SIR EMAIL ADDRESS x114409@cty.dhs.state.mn.us		
ADDRESS 807 11th Street North		CITY Moorhead		ZIP CODE 56560

### 5. Provider registration contact

Who is your lead provider registration contact person who is able to answer questions about provider registrations?

<input type="radio"/> Mr. <input type="radio"/> Mrs. <input checked="" type="radio"/> Ms.	FIRST NAME Kathy	LAST NAME Otte		
TITLE Statistical Specialist		PHONE NUMBER 218-299-7045	EXTENSION	FAX NUMBER

EMAIL ADDRESS kathy.otte@co.clay.mn.us	SIR EMAIL ADDRESS x114409@cty.dhs.state.mn.us	
ADDRESS 807 11th Street North	CITY Moorhead	ZIP CODE 56560

### D. Subcontracted services

Counties and tribes may contract with an agency to administer all or part of their Child Care Assistance Program. Do not include cooperative agreements with employment and training service providers that work with MFIP/DWP families to develop and approve the employment service plan.

**Minnesota Rules, part 3400.0140, subpart 7**

If you are planning any changes in the administration of your CCAP, tell your CCAP policy specialist immediately. This could involve subcontracting or mergers of counties. Failing to notify DHS may delay the changes that you are planning to make.

Does your county or tribe contract with an agency for any part of the administration of CCAP?  Yes  No

## II. Collaboration and outreach

**A.** How do you share information so that individuals, child care providers, social service agencies, etc. are aware of child care assistance? (Minnesota Rules, part 3400.0140, subpart 2)

Information on child care assistance is available through both the Clay County website as well as Lakes and Prairie Community Action website. Lakes and Prairie is part of the Child Care Aware of Mn program. Parents who are seeking information about child care, are informed about the child care assistance program. Clay County Child Care Licensors also make child care assistance information available to all licensed child care providers and encourage them to refer parents to the program. Information about the child care assistance program is also provided to employment and training agencies as well as our public health department. Posters and brochures are also displayed

**B.** Agencies are required to work with other public and private community resources that provide services to families. These other resources include, but are not limited to, Child Care Aware, School Readiness, Early Learning Scholarships, Head Start, and Early Childhood Screening. List the community programs your agency works with to maximize community resources for families with young children. (Minnesota Statute, section 119B.08, subdivision 3 (1))

Our community works with the local Head Start program which offers pre-school for eligible children that will help with the transition to kindergarten. Solutions Behavioral Healthcare Professionals offers a program called Incredible Years. This is a child/family intervention for children with mental health and behavioral needs. Solutions provides individual services to children in child care that have behavioral concerns if requested to assist the family and provider in stabilizing the child's behaviors. Moorhead Public Schools has adopted the Incredible Years model and works with Solutions to provide the programming to elementary and kindergarten students. EIS (Early Intervention Services) is available for young children with identified developmental and emotional needs. Wrap Around and Family Group Decision making services are available through County Collaborative for all families, as well as respite funds for some families in Head Start. Our agency works closely with the schools and technical colleges, Community Action Councils, Child Care Aware of MN, early childhood programs and county licensors.

**C.** How do you work with the community based programs and service providers identified above to maximize public and private community resources for families with young children? Include in this description the methods used to share information, responsibility, and accountability among these service and program providers as you work to foster collaboration among agencies and other community-based programs that provide flexible, family-focused services to families with young children and to facilitate transition into kindergarten.

We attend the MFIP orientations that are offered by Rural MN CEP. One of the child care workers attends that meeting with new participants and explains to them the process of applying for Child Care Assistance and contact information for them so it is easier to connect with the appropriate person. We have a great relationship with all

providers and will attend meetings as needed to discuss child care and how we are better able to serve our residents. We attend community workshops and job fairs when made aware to us and offer information to people who ask regarding child care. We will attend child care provider orientation or training that is put on by our county child care licenser's when asked. We request our licenser's to inform all providers about child care assistance so they can encourage families to apply if they are having difficulties paying the full expense.

- D.** Copies of the proposed plan must be made reasonably available to the public, including those interested in child care policies such as parents, child care providers, culturally specific service organizations, Child Care Aware of Minnesota agencies (child care resource and referral), interagency early intervention committees, potential collaborative partners and agencies involved in the provision of care and education to young children. **You must allow time for public review and comment prior to submitting this plan to DHS for approval.** (Minnesota Statute, section 119B.08, subdivision 3 (2))

**D1.** Describe your procedures and methods to make copies of the draft plan reasonably available to the public.

Notification was provided on our Clay County website inviting citizens to review and comment on the plan. A copy of the plan was posted on the website as well as paper copies made available at our office. The posting was a News Flash which pushed the notice out to our Facebook and Twitter Accounts. The posting was done on September 11, 2017 and the comment period was invited through October 10, 2017. The Public Notice and draft plan was set to terminate at the end of the comment period. Should changes to the plan be made after the public comment period, the plan will be updated and sent to DHS for final approval.

An electronic copy of the proposed plan was emailed to our local Child Care Aware provider as well as our local Early Intervention Committee for review and comment.

Upon the DHS final approval of the plan, it will be placed on our county website for review at all times at the following link:

<https://mn-claycounty.civicplus.com/209/Child-Care-Assistance-Program-CCAP>

Interested Individuals may also request a copy of our plan from the Financial Services unit located at 715 11th ST. No. Suite 102, Moorhead, MN. 56560. Copies of the plan may also be received from Larry Young by phone (218-299-7111), fax (218-299-7515), email ([larry.young@co.clay.mn.us](mailto:larry.young@co.clay.mn.us)) or US Mail at 715 11th St. No. Suite 102, Moorhead, MN. 56560

**D2.** How long did you allow for public review?

Sept. 11- Oct. 10, 2017

- E.** After your plan is approved by DHS, do you post your approved county/tribal plan on your website?  Yes  No

### III. Eligibility

#### A. Education plans under the Basic Sliding Fee Program (BSF)

Prior to completing this section, please review Minnesota Rules, part 3400.0040 and Minnesota Statutes 119B.07 in their entirety to ensure your policies are in compliance.

##### 1. High school diploma/GED high school equivalency diploma

1a. Do you approve all high school and GED programs?  Yes  No

1b. Identify any circumstances when you would end a student's Basic Sliding Fee education plan for a high school or GED program. Students cannot be required to maintain a certain GPA.

All classes that are being taken in order to receive a high school diploma or GED through a public or private high school or from a program that is administered through the MN Department of Education will be approved as an acceptable course of study. Students participating in these activities will be required to provide verification of their

school schedule which includes the days and times of each class as well as the dates verifying the length of each class.

## 2. Remedial and basic skills courses (includes Adult Basic Education and English as a Second Language)

2a. Do you approve all remedial and basic skills courses?  Yes  No

2b. Identify any circumstances when you would end a student's Basic Sliding Fee education plan for a student attending a remedial or basic skills course.

All students that are eligible and are participating in classes, both on-site and on-line, through MN Adult Basic Education (ABE) will have these courses approved with proper verification. Students participating in these activities will be required to provide verification of the course being taken through ABE. Verification must include the days and times of each course as well as the dates verifying the length of each course being taken.

## 3. Post-secondary programs

3a. Describe your policy and procedures for approving a course of study that will lead to employment for a post-secondary student under Basic Sliding Fee.

Students must complete an Employability Plan which outlines their course of study as well as expected completion date. This plan is signed by both the student as well as the student's advisor. The plan clearly states what the student's responsibilities are in order to have their education approved as an eligible activity. All initial plans will be approved if they have the approval of the post-secondary institution's advisor/counselor. Follow up is done each semester to determine if the student is in good academic standing.

3b. Identify the factors that contribute to the above policy (for example: the availability of jobs where family resides or intends to reside, wage data, job placement rates in field of study).

The post-secondary institution has approved the employability plan. The school's advisor/counselor is best qualified to determine if this is an appropriate plan and would reasonably lead to full-time employment.

3c. Identify any circumstances when you would end a student's Basic Sliding Fee education plan for a student attending a post-secondary program.

Termination of the Basic Sliding Fee education plan may result if a person was not making satisfactory progress toward completion of the program and was falling below academic standing as determined by the post-secondary institution. Termination may also occur if the person changes their course of study without reporting the change and having a new employability plan approved. In addition, if they are determined no longer eligible for CCAP, termination would occur.

## 4. Changes to Basic Sliding Fee (BSF) education plans

4a. Do you have a different approval policy if a participant requests a change to their education plan?  Yes  No

## B. Basic Sliding Fee Waiting List management

### 1. Priorities for service

Have you established sub-priorities for the fifth priority Basic Sliding Fee waiting list beyond those required in Minnesota Statute, section 119B.03, subdivision 4?

Yes  No

### 2. Six month review of Basic Sliding Fee Waiting List

CCAP Policy Manual,  
Chapter 4.3.12.12

Minnesota Statute, section  
119B.03, subdivision 2

2a. Statute requires that you review and update your waiting list at least every six months. How are families notified of this six month review? Describe your agency's process for reviewing and updating the waiting list. Please include your agency's six month review letter in Section IX.B. If your agency does not currently have a waiting list, describe your process in the event your agency does start a waiting list.

A cover letter along with a redetermination notice is sent to the family.

2b. When families are removed from the waiting list for not responding to the six month review are they sent an additional notice or does the six month review letter include notification they will be removed from the waiting list if they do not respond?

The cover letter explains that we must review their status to remain on the waiting list. The letter informs them that they must complete the review and return to the county by a certain date. Failure to do so will result in the removal from the waiting list.

### 3. Applications mailed to families on the Basic Sliding Fee Waiting List

Applications must be sent to families on the waiting list when there is funding available for Basic Sliding Fee. When do you remove the family from the waiting list?

- Family is removed from the waiting list when the application is sent to the family. The notice sent with the application informs the family that their name has been removed from the waiting list.
- Family is removed from the waiting list when you receive the completed application. If no application is received, the family is removed at the end of the time period allowed for returning the application. The notice sent with the application informs the family.

### 4. Temporarily ineligible families on the Basic Sliding Fee Waiting List

When a family reaches the top of the waiting list and is temporarily ineligible for child care assistance, leave the family at the top of the waiting list for a period of time not to exceed 90 calendar days, according to priority group and serve the applicant who is next on the waiting list unless an alternative procedure is provided in the agency's plan.

Minnesota Rules, part 3400.0040, subpart 17

Minnesota Rules, part 3400.0060, subpart 6

Are there exceptions to the 90 day policy that extends the timeframe for a family who has reached the top of the waiting list and is temporarily ineligible?  Yes  No

## C. Child care for job search activities

1. When you authorize child care assistance during job search activities for families without an approved employment plan, how many hours do you authorize?

Minnesota Rules, part 3400.0040, subpart 15a

CCAP Policy Manual, Chapter 9.18

- Authorize the number of hours requested by the participant
- Authorize a standard number of hours **determined by the agency.**

2. Do you verify the actual number of hours spent on job search?  Yes  No

## D. Child care for school release days

How do case workers and billing workers authorize care for school release days in your agency?

CCAP Policy Manual, Chapter 9.1.3

- Authorize actual hours needed and increase or decrease hours based on known school release days.
- Authorize the hours care is needed when there are no school release days.
- Authorize the highest number of hours care is needed with the provider.
- Other method.

How do you communicate scheduled and authorized hours to parents, providers and billing workers?

If the provider requests more hours during these times they communicate to our fiscal person and she will increase the hours that she is allowed to do. Communication is done with email between provider, CCAP worker, and the fiscal person in our auditors office.

## E. Child care for families with flexible schedules

How do case workers and billing workers authorize care for families with flexible schedules in your agency?

CCAP Policy Manual,  
Chapter 9.1.6

- Authorize the typical number of hours needed and when the schedule requires additional care, the provider bills for the additional care.
- Authorize the minimum number of hours care is needed and when the schedule requires additional care, the provider bills for the additional care. Payment is made by increasing the number of hours listed in the "total hours of care authorized" field on the billing window or by creating a new Service Authorization.
- Authorize the highest number of hours care is needed with the provider. The provider is expected to bill only for the time that care is needed.
- Other method.

How do you communicate scheduled and authorized hours to parents, providers and billing workers?

If the provider requests more hours during these times they communicate to our fiscal person and she will increase the hours that she is allowed to do. Communication is done with email between provider, CCAP worker, and the fiscal person in our auditors office.

## F. Authorizing care for clients with Employment Plans

Job counselors and CCAP workers must communicate child care needs for clients with Employment Plans. Guidance can be found in CCAP Policy Manual, Chapter 16.1.

### 1. Schedules and Authorizations

CCAP workers must obtain an activity schedule or the days and times that child care is needed. Who is responsible for obtaining the schedule information from the client?

- Job counselor provides schedule or days and times that child care is needed to CCAP worker.
- CCAP worker obtains schedule from client.
- Other method.

### 2. How do you communicate required information between job counselors and CCAP workers (email, fax, case notes, verbal, DHS-7054, etc.)?

Emails and interoffice mail is used between the county and the employment agency (Rural MN CEP) to communicate all information between the two agencies. We also have a monthly meeting between a CEP worker and Financial Worker to discuss the CEP workers caseload and all topics are discussed at this time as well.

## IV. Provider compliance policies

### A. Reasons for closing a provider's registration

Minnesota Statutes, section 119B.13, subdivision 6(d) allows counties and tribes to refuse to issue a child care authorization, revoke an existing authorization for a provider, stop payment, or refuse to pay a bill under circumstances described in the six clauses below. Counties and tribes must indicate which clauses they will include in their plan, and must apply the policies consistently to providers.

CCAP Policy Manual,  
Chapter 9.3

CCAP Policy Manual,  
Chapter 14

- An agency cannot implement these policies without establishing them in their plan.
- An agency must notify their CCAP Policy Specialist at least 10 days prior to closing a provider's registration or taking any other action to enforce any of these policies, except clause 4 when notified by DHS.
- An agency that does not implement these policies may still pursue a fraud disqualification for a provider. These policies can be used in addition to, or in combination with, a fraud disqualification.

Does your agency plan to disqualify providers for reasons listed in Minnesota Statutes, section 119B.13, subdivision 6(d)?

- Yes
- No



Which clause(s) does your agency plan to implement? Check all that apply.

- Clause 1:** A provider admits to intentionally giving the agency materially false information on the provider's billing forms.

If you checked Clause 1, your agency must also pursue, at minimum, a disqualification and establishment of an Intentional Program Violation (IPV) using the Administrative Disqualification (ADH) process described in Chapter 14 of the CCAP Policy Manual. The agency should consider pursuing a fraud determination through other means described in section 14.12.6 in the CCAP Policy Manual. There also may be overpayments charged to the provider applied to time periods when Clause 1 occurred.

When enforcing this clause, you have the option to use MEC<sup>2</sup> generated notices or DHS optional notices to notify providers and/or families. The DHS optional notice to families communicates they are still eligible for CCAP. The DHS optional notice to providers gives specific information on why their registration closed and, according to policy, does not include provider appeal rights. Contact your CCAP Policy Specialist for samples of the DHS optional notices and instructions on how to use the notices.

What type of notice will you send to families?  MEC<sup>2</sup> generated notices  DHS optional notices

What type of notice will you send to providers?  MEC<sup>2</sup> generated notices  DHS optional notices

*Note:* If your agency uses DHS optional notices, you must also close the provider's registration in MEC<sup>2</sup>. Contact your CCAP Policy Specialist for system instructions.

- Clause 2:** The agency finds a preponderance of evidence that the provider intentionally gave the agency materially false information on the provider's billing forms or attendance records.

If you checked Clause 2, your agency must also pursue, at minimum, a disqualification and establishment of an Intentional Program Violation (IPV) using the Administrative Disqualification (ADH) process described in Chapter 14 of the CCAP Policy Manual. The agency should consider pursuing a fraud determination through other means as described in section 14.12.6 in the CCAP Policy Manual. There also may be overpayments charged to the provider applied to time periods when Clause 2 occurred.

When enforcing this clause, you have the option to use MEC<sup>2</sup> generated notices or DHS optional notices to notify providers and/or families. The DHS optional notice to families communicates they are still eligible for CCAP. The DHS optional notice to providers gives specific information on why their registration closed and, according to policy, does not include provider appeal rights. Contact your CCAP Policy Specialist for samples of the DHS optional notices and instructions on how to use the notices.

What type of notice will you send to families?  MEC<sup>2</sup> generated notices  DHS optional notices

What type of notice will you send to providers?  MEC<sup>2</sup> generated notices  DHS optional notices

*Note:* If your agency uses DHS optional notices, you must also close the provider's registration in MEC<sup>2</sup>. Contact your CCAP Policy Specialist for system instructions.

- Clause 3:** A provider is in violation of Child Care Assistance Program rules, until the agency determines the violations have been corrected.

- Clause 4:** A provider is operating after receipt of a licensing order of suspension or revocation (this occurs when providers are appealing the revocation or suspension) or a final order of conditional license, for as long as the conditional license is in effect.

*Note:* Agencies do not have the option to close registrations of providers operating with conditional licenses.

If you choose this option, DHS will send you a list once a month to inform you of providers in this category. You may act sooner if you learn of this licensing status through your licensors, etc. Contact your CCAP Policy Specialist if you are planning to take action prior to receiving the monthly DHS listing.

What licensing violations are subject to this clause?

Providers with a suspended license?  Yes  No

When applying this clause for a provider with a suspended license, what provider types will you apply the clause to?

Licensed family child care  Licensed centers  Both

Providers with a revoked license?  Yes  No

When applying this clause for a provider with a revoked license, what provider types will you apply the clause to?

Licensed family child care  Licensed centers  Both

When enforcing this clause, you have the option to use MEC<sup>2</sup> generated notices or DHS optional notices to notify providers and/or families. The DHS optional notice to families communicates they are still eligible for CCAP. The DHS optional notice to providers gives specific information on why their registration closed and, according to policy, does not include provider appeal rights. Contact your CCAP Policy Specialist for samples of the DHS optional notices and instructions on how to use the notices.

What type of notice will you send to families?  MEC<sup>2</sup> generated notices  DHS optional notices

What type of notice will you send to providers?  MEC<sup>2</sup> generated notices  DHS optional notices

*Note:* If your agency uses DHS optional notices, you must also close the provider's registration in MEC<sup>2</sup>. Contact your CCAP Policy Specialist for system instructions.

**Clause 5:** A provider submits false attendance reports or refuses to provide documentation of the child's attendance upon request.

How will your agency determine the provider has corrected the condition?

After the Provider has submitted the correct attendance records to this agency and any over payments have been reconciled.

Your agency may withhold payment for a period of up to three months beyond the time the condition has been corrected.

Will you apply a penalty period beyond when the condition is corrected?  Yes  No

When enforcing this clause, you have the option to use MEC<sup>2</sup> generated notices or DHS optional notices to notify providers and/or families. The DHS optional notice to families communicates they are still eligible for CCAP. The DHS optional notice to providers gives specific information on why their registration closed and, according to policy, does not include provider appeal rights. Contact your CCAP Policy Specialist for samples of the DHS optional notices and instructions on how to use the notices.

What type of notice will you send to families?  MEC<sup>2</sup> generated notices  DHS optional notices

What type of notice will you send to providers?  MEC<sup>2</sup> generated notices  DHS optional notices

*Note:* If your agency uses DHS optional notices, you must also close the provider's registration in MEC<sup>2</sup>. Contact your CCAP Policy Specialist for system instructions.

**Clause 6:** A provider gives false child care price information.

## B. Notification to providers

Your agency must notify all currently registered providers and any new providers wishing to register with your agency of the provider compliance clause(s) being implemented. Notification options include:

- Sending a mailing to all providers registered with your agency.
- Adding information to your agency's provider registration packets.

How will you notify providers about the provider compliance clauses your agency is choosing to implement? Add the notification document(s) to Section IX.B and if the document(s) have not yet been approved by DHS, submit with this plan for review and approval.

We send current copies of MN CCAP Provider policies which are included in all Provider Registration & Renewal packets, whether, these are mailed to or sent electronically to Providers. We also include a link, to the current MN CCAP Provider Manual. All Providers can access the Provider manual via our Clay County Public web site.

*Note:* This notice differs from the adverse action notice your agency sends when closing an individual provider's registration under these clauses.

## V. Policies applicable to legal nonlicensed (LNL) providers

### A. Unsafe care criteria

Individuals must pass a background study prior to being approved as an LNL provider. You have the option to apply additional conditions, beyond the background study disqualifications, under which care is considered unsafe. DHS recommends you review the following sections of statute to ensure that your policies are not requirements that are applied to all providers:

- Minnesota Statute, sections 119B.125, subdivision 2
- Minnesota Statute, sections 245C.14 or 245C.15

Note that a conviction for a crime or offense not listed in sections 245C.14 or 245C.15 is not an automatic bar to authorization as an LNL provider. A conviction for a crime or offense not listed may only bar an authorization if the crime or offense reflects on the provider's ability to provide care.

Do you apply additional conditions of unsafe care **beyond those contained in Minnesota Statute, sections 245C.14 or 245C.15**, to LNL providers or LNL care arrangements?  Yes  No

### B. Background checks for legal nonlicensed (LNL) providers

You are required to complete a criminal background study on all LNL providers and persons residing in their households.

1. Do you charge a fee to unlicensed providers when completing the required criminal background check?

Yes  No

How much do you charge for the background check? Fees are not to exceed \$100 annually.

per family \$ 25.00  per person

2. How often do you reauthorize providers?

Yearly  Every Two Years  Other

3. Do you request background information from other agencies when a provider is registered by another agency?

Yes  No

### C. Records of substantiated parental complaints

Within 24 hours of receiving a complaint concerning the health or safety of children under the care of an LNL provider, an agency must relay the complaint to the agency's child protection agency, county public health agency, local law enforcement, and/or other agencies with jurisdictions to investigate complaints. When a report is substantiated, see Minnesota Rules, part 3400.0140, subpart 6, for record retention and provider payment policies.

Minnesota Statutes,  
chapter 13

When complaints are substantiated, how do you:

- Maintain these records, and
- Make this information available to the public when requested?

Clay County keeps a log of complaints concerning the health and safety of children in the care of legal nonlicensed providers. If there is a parental concern regarding maltreatment by a provider it is referred to the proper department to investigate (ie: Child Protection, Sheriff's Department, Licensing etc.). Each department will screen the report for the appropriate course of action to be taken either individually or jointly. Investigations into complaints may involve a number of activities such as collateral contacts, interviews of children, providers, parents, as well as record reviews and County Attorney consultations. The county keeps a complaint log of substantiated complaints and a copy of the substantiated complaint is kept in the provider file. When the county receives a request the county will give the information over the phone, or if they request, the county will supply the information in writing. Clay County will release information in compliance with Minnesota Statutes, Chapter 13.