



Changes in state law that may affect providers registered with the Child Care Assistance Program

Why am I getting this notice?

You are getting this notice because you are a child care provider who cares for children of families on the Child Care Assistance Program. This document describes new laws and gives reminders of some older laws. All of these laws are currently in effect. **Any laws not marked as NEW were in effect before 2015.**

What laws have changed?

Attendance Records

You must keep daily attendance records for six years.

These attendance records **MUST**:

- Be kept at the site where services are delivered (**NEW law**)
- Be *immediately* available upon request of the county, tribe, *or the Department of Human Services (DHS)* (**NEW law** that DHS may request attendance records)
- Include the date, child's full name, and sign in and out times. When possible, the person picking up or dropping off the child should be the one to sign them in and out.

For providers that bus children to and from homes, the parent or guardian is still required to sign the children in and out at the time the bus picks up and drops off the children at their home.

Reporting Child Absences

You are required to report some attendance information about children to the Child Care Assistance Program.

This information includes:

- When a child has been absent for more than seven days in a row
- When a child attends less than half of their authorized hours or days for a four-week period (**NEW law**)
- When you believe that child care will be ending
- When child care has ended.

When a child's attendance drops to less than half of their authorized hours or days for a four-week period, you must report this in the Comments section of the Billing Form. Other attendance information may be reported on the Billing Form or by notifying the family's caseworker.

Provider Consequences for Not Following Child Care Rules and Laws

Child care providers that do not keep in good standing with licensing or follow certain Child Care Assistance Program rules may have their Child Care Assistance Program registration closed by a county or tribe. For more information, see [Minnesota Statutes, section 119B.13, subdivision 6, paragraph \(d\)](#).

NEW laws say that:

- The Department of Human Services can take the same actions as counties and tribes to enforce this law, **AND**
- Providers that are issued a final order of conditional license may have their Child Care Assistance Program registration closed for as long as the conditional license is in effect.

Disqualifications in Other Programs

A **NEW law** says that a provider or person who has been excluded or debarred in one Department of Human Services (DHS) program cannot become a provider in a different DHS program.

For example, if your child care license is revoked, you cannot enroll as a Medical Assistance provider of home care services during the time your child care license is revoked.

Center Hiring Practices for Employees Receiving Child Care Assistance

A **NEW law** says that centers cannot require current employees to have children who are eligible for child care assistance in order to keep their jobs, and a center cannot make hiring decisions about new employees based on whether the employee receives child care assistance.

Recruiting employees on the condition that the employee has children that are either in the Child Care Assistance Program or eligible for the program is illegal.

License Exempt Centers

If you are operating as a center that is exempt from licensure rules, you should be aware of changes to licensing exemptions that may affect your program.

Some centers have registered as a Child Care Assistance Program license exempt provider under the licensing moratorium for school age programs. This moratorium ended July 1, 2015.

- A **NEW law** says, if you are a center operated by a nonprofit organization that serves youth in kindergarten through grade 12, provides structured, supervised youth development activities, and has learning opportunities take place before or after school, on weekends, or during the summer or other seasonal breaks in the school calendar, you may now be exempt from licensure under Minnesota Statutes 245A.03, subdivision 2 (a) (27). However, programs that are exempt from licensure under this new law are not eligible to receive payment for services by the Child Care Assistance Program unless they become licensed as of August 1, 2015.
- If you are not sure whether you must be licensed:
 - To confirm your license status, contact the Department of Human Services Licensing Division at 651-431-6500. TTY/TDD users can call 800-627-3529. For the Speech-to-Speech Relay, call 877-627-3848.
 - To avoid Child Care Assistance Program overpayments, contact the agency(s) where you are registered to receive Child Care Assistance Program payments.

Where do I find more information on laws that affect providers?

You can review the Minnesota Child Care Assistance Program (CCAP) Child Care Provider Guide (DHS-5260). If you need a copy of the provider guide, you can:

- Request a copy from the Child Care Assistance Program agency you are registered with, OR
- View online at the Minnesota Department of Human Services eDocs website at <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-5260-ENG>

Who do I contact if I have questions?

If you are a child care provider who cares for children of families that get assistance, call the family's Child Care Assistance Program worker or a worker the county has told you to call.

Attention. If you need free help interpreting this document, call 651-431-3809

ملاحظة: إذا أردت مساعدة مجانية لترجمة هذه الوثيقة، اتصل على الرقم 651-431-3809.

កំណត់សំគាល់ ។ បើអ្នកត្រូវការជំនួយក្នុងការបកប្រែឯកសារនេះដោយឥតគិតថ្លៃ សូមហៅតាមទូរស័ព្ទមកលេខ 651-431-3809 ។

Pažnja. Ako vam treba besplatna pomoć za tumačenje ovog dokumenta, nazovite 651-431-3809

Thov ua twb zoo nyeem. Yog hais tias koj xav tau kev pab txhais lus rau tsab ntaub ntawv no pub dawb, ces hu rau 651-431-3809

ໂປຣດຊາບ. ຖ້າທາກ ທ່ານຕ້ອງການການຊ່ວຍເຫຼືອ ໃນການແປເອກະສານນີ້ພຣີ, ຈົ່ງໂທໄປທີ່ 651-431-3809

Hubachiisa. Dokumentiin kun bilisa akka siif hiikamu gargaarsa hoo feete, lakkoobsi bilbiltu 651-431-3809.

Внимание: если вам нужна бесплатная помощь в устном переводе данного документа, позвоните по телефону 651-431-3809

Digniin. Haddii aad u baahantahay caawimaad lacag-la'aan ah ee tarjumaadda qoraalkan, wac 651-431-3809

Atención. Si desea recibir asistencia gratuita para interpretar este documento, llame al 651-431-3809

Chú ý. Nếu quý vị cần được giúp đỡ dịch tài liệu này miễn phí, xin gọi số 651-431-3809

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