



Child Care and Development Block Grant Requirements and Implementation Update

Presentation for Family Child Care, Inc. in Rochester MN on October 2, 2017

- Child Care and Development Block Grant
- Health and Safety
- Background Studies
- “Fix-it Ticket” (State Law Passed in 2017)
- Requirement to Post the Results of Inspections and Licensing Reviews

What is the CCDBG Act of 2014?

- The Child Care and Development Block Grant Act (CCDBG), was signed into law in November 2014 after receiving bipartisan and bicameral support in Congress.
- The CCDBG is the primary source of federal funding for child care subsidies and initiatives to support the quality of child care programs.
- Fully authorizes the child care program for the first time since 1996 - historic re-envisioning of the Child Care and Development Fund (CCDF) program.

Key features of Reauthorization

The CCDBG law had three primary goals:

- Promoting access to subsidy for families with low incomes and increasing the number of those children in high-quality child care settings
- Improving quality of child care services and programs by implementing oversight standards
 - Protecting the health and safety of children
 - Improving child care and development of children
- Informing parents of child care choices and providing education information to help parents make informed choices.



Changes for families

CCAP - 2017 Changes Summary

- 12-month continuous eligibility
- Copayment fees more stable
- Extended eligibility when work or school ends
- Reduced reporting requirements



Health and Safety

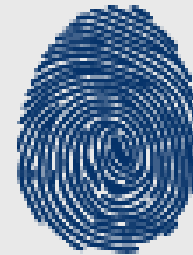
Changes enacted during the 2017 legislative session



Annual
Inspections



Health & safety



Enhanced
background
studies



Consumer
education

CCDBG affects 4 types of child care in Minnesota

Four provider types affected:

- Licensed child care centers
- Licensed family child care programs
- License-exempt centers that are registered to receive funding through the Child Care Assistant Program (CCAP)
- Legal nonlicensed providers that are registered to receive funding through the Child Care Assistant Program (CCAP)

Health & Safety Requirements

- Requires states to conduct annual inspections of all licensed, certified or regulated CCDF providers.
- Requires states to have standards for CCDF providers regarding group size limits and appropriate child-to-provider ratios based on the age of children in child care.
- Requires emergency preparedness planning and statewide disaster plans for child care.

Health & Safety Topics & Training

- Requires states to establish health and safety requirements in 10 different topic areas.
- Child care providers receiving assistance through the Child Care and Development Fund (CCDF) program must receive training on such topics both:
 - Before being certified or licensed *and*
 - On an ongoing basis

10 Health & Safety Topics

- Prevention & control of infectious diseases*
- Prevention of sudden infant death and use of safe sleep practices
- Administration of medication*
- Allergy prevention and response*
- Building and physical premises safety
- Prevention of shaken baby syndrome and abusive head trauma
- Handling and storage of biocontaminants
- Appropriate precautions in transporting children
- First aid and CPR
- Emergency preparedness*

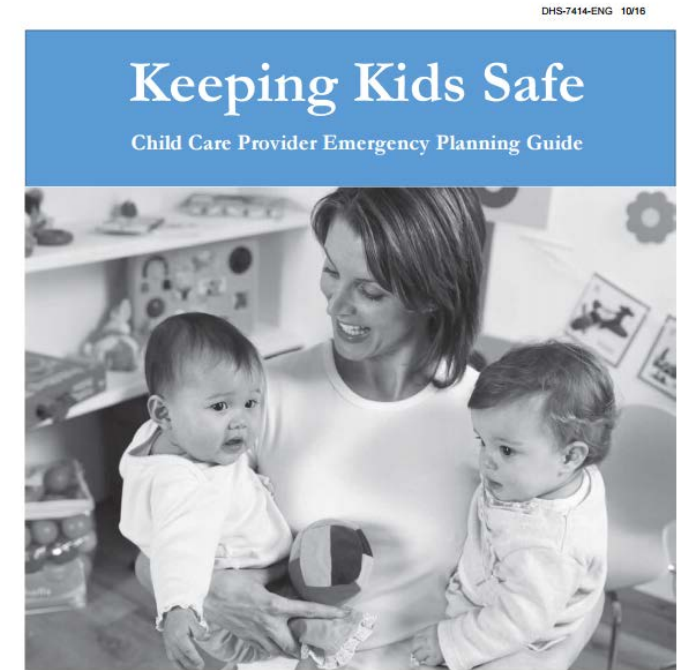
Emergency preparedness requirement

States must develop a statewide emergency plan

- Completed in September 2016
- Minnesota's Statewide Child Care Emergency Plan

States must require every provider to have an emergency plan

- Developed Template and Guidance called "Keeping Kids Safe"
- Use of the template ensures providers comply with new plan requirements



Health and safety training resources



FREE Health and Safety training through June 30, 2018

www.developtoolmn.org

Or contact: **888-291-9811**

childcareawaremn.org

Consumer and Provider Education Resources

New resources for families and licensed providers

- Ratio and Group Size Requirements in Licensed Child Care
- Infant Safe Sleep Requirements in Licensed Child Care
- Child Care Emergency Preparedness FAQs
- Background Study Requirements for Licensed Child Care
- County Delegated Licensure of Family Child Care Programs
- Licensed Child Care Trends (2005 – 2015)
- Licensed Child Care Sanctions (2011 – 2015)
- Understanding Licensed Child Care in Minnesota (2016 Issue Brief)

For more information, visit: mn.gov/dhs/licensing/child-care



Background Studies

Background Study Requirements

New Child Care Background Study Requirements

- Federal law requires child care providers who are licensed/regulated or who receive CCAP to have a comprehensive study.
 - Licensed child care centers and Licensed family child care programs
 - License-exempt centers and Legal nonlicensed providers that are registered to receive funding through the Child Care Assistance Program (CCAP)
- Comprehensive fingerprint-based study required every 5 years
- Each study will cost \$40 plus a fingerprinting fee.

All current and new child care providers will need to have a new background study.

Background Study Requirements

Fingerprint-Based FBI Study Requirements

1. A fingerprint search of FBI criminal records (for individuals 18 years of age and older)
2. A search of the National Sex Offender Public Website
3. A fingerprint search of records held by the Minnesota Bureau of Criminal Apprehension (BCA)
4. A search of Minnesota's predatory offender registry
5. A search of Minnesota's maltreatment registry
6. An out-of-state search of the child abuse and neglect registry for every state where that the individual resided during the past 5 years

Background Study Requirements

Studies for Minors Ages 13 to 17

Federal law only requires background studies for individuals 18 years of age and older. Minnesota state law has required background studies for minors 13 years and older since 1989.

2017 Legislative changes require new studies for minors that:

- Are fingerprint-based
 - Minors' fingerprints do not go to the FBI unless the individual has a criminal record in Minnesota and an "offender status" that indicates a possible record in another state
 - Fingerprints are destroyed for state-only studies
- Have a lower background study fee (\$20, plus a fingerprinting fee) than studies for adults
- Include a check of Minnesota criminal, maltreatment, and predatory offender records.

Background Study Requirements

Individuals Requiring a New Comprehensive Background Study

- License/certification/registration holders, controlling individuals, and anyone who has direct contract with children, or unsupervised access to these individual or their information.
- Anyone employed by a child care provider.
- Anyone whose activities involve the care or supervision of a child for a child care provider.
- Anyone who has unsupervised access to a child who is cared for or supervised by a child care provider.
- An individual at least 13 years or older who resides in a licensed family child care home or a legal nonlicensed child care program.

Background Study Requirements

New Permanent Disqualifications for Child Care Providers

Federal law permanently prohibits a child care provider from working if the study subject has committed certain acts or been convicted of certain crimes.

Some state disqualifications were elevated to permanent bars for child care programs in order to comply with CCDBG standards.

Background Study Requirements

Implementation Plan

- Implementation of the new comprehensive studies has not started anywhere in the state. Providers and counties will be contacted well in advance with instructions for when the new studies will be required and how to initiate them.
- FAQ posted online and communications sent to all providers. www.tinyurl.com/mnchildcarefaq
- We have an open offer to meet with any group interested in learning more or offering recommendations.
- We have been meeting with and seeking feedback from providers and counties.
- Responses will be sought on a draft implementation plan.
- Questions or implementation recommendations can be sent to DHS.CCDFReform@state.mn.us



Other 2017 Legislative Change: “Fix-it Ticket”

What is a Fix-It Ticket?



- * New Section 245A.065
- * Applies to child care center and family child care license holders
- * Requires a licenser to issue a “Fix-It Ticket” in lieu of a correction order in certain circumstances
- * Cannot be posted on Public Website

What violations might qualify for a Fix-It Ticket?

DHS must establish a list of violations eligible for a fix-it ticket.

- 1) Must not imminently endanger the health, safety, or rights of the children served by the program **and**
- 2) it must be one that can be corrected at the time of inspection or within 48 hours, excluding weekends and holidays
- 3) The license holder cannot have **received a fix-it ticket or correction order** for the violation at the last licensing inspection.



What does a provider do if they receive a Fix-It Ticket?

- 1) The license holder must correct the violation within 48 hours, excluding weekends and holidays,
- 2) Within one week, the license holder must submit evidence that the violation was corrected
- 3) If the violation is not corrected or adequate evidence is not submitted, the licensor must issue a correction order for the violation

FIX IT!

How is DHS determining the list of Fix-It Ticket violations?

- DHS/the Commissioner must determine which violations will be eligible for a Fix-It Ticket.
- Same list must be used by all county licensors across the state.
- DHS met with stakeholders, including more than 25 license holders, on August 17th to hear their suggestions.
- DHS is finalizing the list of items. List will be reviewed annually.



CCDBG and Posting Requirements

New Posting Requirements

- Some Provider Information and Compliance Orders are posted online now at <https://licensinglookup.dhs.state.mn.us/>
- Licensing intends to modify how it posts licensing data to its website for two purposes:
 - Meet the requirements of the Child Care and Development Block Grant reauthorization
 - Respond to concerns raised by stakeholders about the type of information that is posted and the way that information is presented

A few updates before the live demonstration

licensinglookup.dhs.state.mn.us

Apps Child Care Policy Law License

m DEPARTMENT OF HUMAN SERVICES

Licensing Information Lookup

DHS Licensing Information Lookup

Instructions:

Search for information about licensed providers by name, city, county, ZIP code, program type or license number.

Due to technical difficulties, some documents may be temporary unavailable. We are working to resolve the issue and we apologize for any inconvenience.

Name :

MN City :

MN County :

ZIP code :

License type :

License number :

Active Licenses Only

Public documents subscriptions
Licensing documents are updated at least weekly. [Sign up to receive daily emails](#) with links to newly published documents.

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Version: 4.0
Released: 09/03/2015



Licensing Information Lookup as of Today

License Details

[← back to search results](#)

| | |
|--|-------------------------------|
| 3R's Early Childhood Learning Center Inc | License status: Active |
| 4900 85th Ave N Brooklyn Park, MN 55443 Map This Location (Map will open in a new tab) | |
| (763) 315-5006 Hennepin County | |
| License number: 1011675 License holder(s): 3R's Early Childhood Learning Center, LLC License Holder Entity Identification Number(s): 3764832 License status: Active Type of service: Child Care Center Initial effective date: September 4, 2001 Current effective date: January 1, 2017 Expiration date: December 31, 2017 | |

| |
|---|
| Licensed to serve |
| Total capacity: 206 Restrictions: None |

| |
|--|
| Services licensed to provide |
| Service: Day time child care Ages Served: Infants Toddlers Preschool School age |

Licensing Information Lookup as of Today

License Details

[← back to search results](#)

3R's Early Childhood Learning Center Inc License status: Active

4900 85th Ave N
 Brooklyn Park, MN 55443
[Map This Location \(Map will open in a new tab\)](#)

(763) 315-5006
 Hennepin County

License number: 1011675
License holder(s): 3R's Early Childhood Learning Center, LLC
License Holder Entity Identification Number(s): 3764832
License status: Active
Type of service: Child Care Center
Initial effective date: September 4, 2001
Current effective date: January 1, 2017
Expiration date: December 31, 2017

Licensed to serve

Total capacity: 206
Restrictions: None

Services licensed to provide

Service: Day time child care
Ages Served: Infants Toddlers Preschool School age

Licensing determinations issued by DHS on or after July 1, 2010:

| Document type | Date issued | Format |
|---|-------------|--------|
| Compliance Report | 9/12/2016 | HTML |
| Investigative Memorandum | 10/30/2015 | HTML |
| Correction Order/Recommendation | 10/30/2015 | HTML |
| Compliance Report | 11/17/2014 | HTML |
| Negative Action Order | 4/11/2013 | HTML |
| Investigative Memorandum | 3/15/2013 | HTML |
| Compliance Report | 3/15/2013 | HTML |
| Negative Action Order | 2/28/2013 | HTML |
| Investigative Memorandum | 2/25/2013 | HTML |
| Compliance Report | 2/20/2013 | HTML |
| Compliance Report | 11/5/2012 | HTML |
| Compliance Report | 7/15/2010 | HTML |

Note: Family Child Care License Details have even less information currently available

CCDF Final Rule Requirements

- The CCDBG requires states to conduct **annual** inspections of licensed family child care providers receiving child care assistance payments.
- States must **post the results of monitoring and inspection reports**, including the date of the inspection and information on corrective action taken by the provider to address noncompliance with health and safety requirements.
- States must also **post on a website the number of deaths, serious injuries and instances of substantiated child abuse that occurred in child care settings** each year.

CCDF Final Rule Requirements

Full monitoring and inspection reports, either in plain-language or with a plain language summary. Results must include:

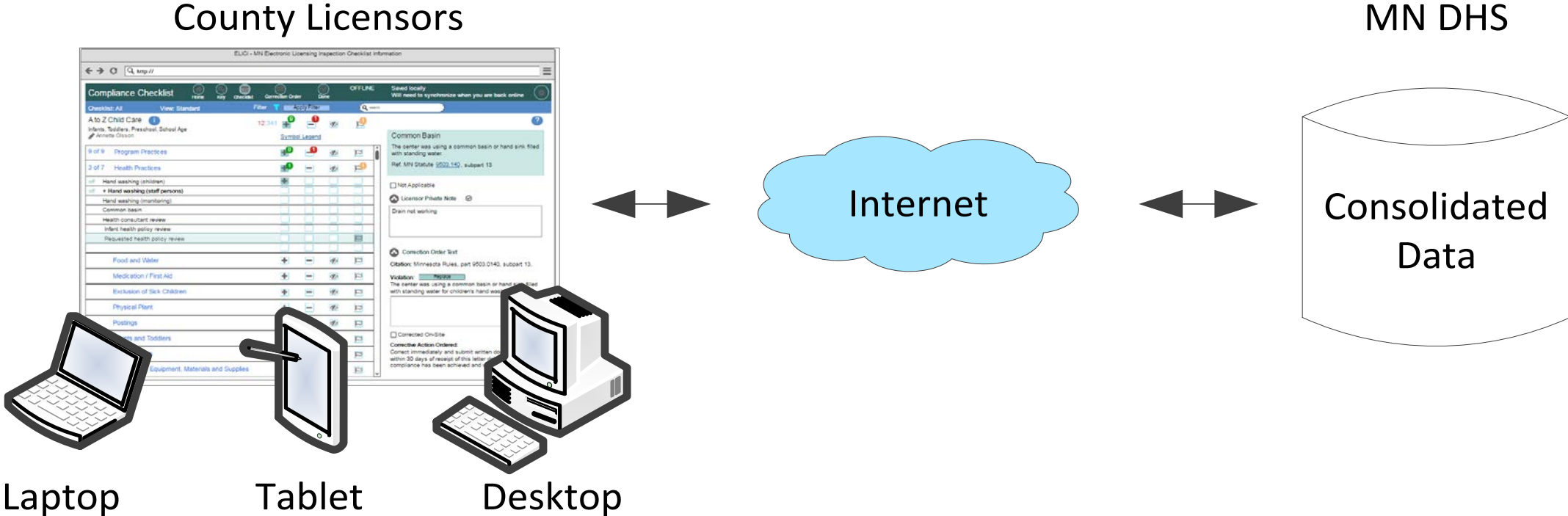
- Date of inspection
- Corrective action taken by the state
- Corrective action taken by the provider
- Any health and safety violations, including any fatalities and serious injuries, prominently displayed on the report or summary

ELICI

(Electronic Licensing Inspection Checklist Information)

Introduction

The electronic checklist is a way to capture information from monitoring visits in order to comply with federal requirements.



What is ELICI?

- The checklist is entirely based on applicable rules and statutes.
 - Minnesota Administrative Rules Chapter 9502, Licensing of Day Care Facilities,
 - Minnesota Statutes Chapter 245A, Minnesota Human Services Licensing

Why are we doing this?

- Primary Reason: Comply with the Federal Requirements of the CCDBG
 - Family-Friendly Eligibility Policies (CCAP)
 - **Monitor Health and Safety Requirements for Child Care Providers**
 - **Provide Transparent Consumer and Provider Education Information, including monitoring results**
 - Increasing Access for CCDF Children to Safe and High Quality Care
- Secondary Reason: The checklist will improve quality and consistency in the review process.



Contact us with questions or comments
at DHS.CCDFReform@state.mn.us

Questions?