



LICENSING LINK

2013-2014 NEW LEGISLATIVE CHANGES

Family Child Care New Training Requirements per Statutes 245A.50 Subd. 7:

Legislation passed in 2013 creates new and increased training requirements for licensed family child care providers. All the providers were informed of these new changes via postcard by Department of Human Services (DHS) sent the week of January 13, 2014. **Effective July 1st, 2014 the legislation increases annual training requirements for license holders and each primary caregiver - a primary caregiver is an adult caregiver who provides services in the licensed setting for more than 30 days in 12 month period - from 8 hours annually to 16 hours annually. County Licensors will begin monitoring for new increased training requirements starting July 1, 2015. We have attached with this newsletter some scenarios as examples that shows the training requirements for current license holders and when the new training requirements takes effect given each provider's license renewal date. All the training curriculum will be developed or approved by the commissioner of Human Services.**

The new required trainings as well as required frequency of specific training topics related to new changes that will count toward the 16 hour of annual training requirements, are as follow:

- **Supervising for Safety Training:** Must be at Least 2 hours of training and repeated annually per Minnesota statutes, Section 245A.50 Subd. 9. For purposes of this subdivision, "supervising for safety" includes supervision basics, supervision outdoors, equipment and materials, illness, injuries, and disaster preparedness. Training curriculum will be developed or approved by the Commissioner of Human Services.
- **Child Growth and Development / Behavior Guidance Training:** Must be repeated annually per Minnesota statutes, Section 245A.50 Subd. 2. **Statutes does not specify the number of hours completed for this training requirement.** Training curriculum will be developed or approved by the Commissioner of Human Services.
- **CPR Training:** Must be repeated at least once every two years, per Minnesota statutes, Section 245A.50 Subd. 4. At least one staff person must be present in the home who has been trained in cardiopulmonary resuscitation and in the treatment of obstructed airways that includes CPR techniques for infants and children. **CPR training must be provided by an individual approved to provide CPR instruction and must take CPR training that has been developed by the American Heart Association or the American Red Cross or using nationally recognized, evidence-based guidelines and incorporates psychomotor skills to support the instruction.** A substitute caregiver who provides less than 30 hours of care during any 12 month period is, exempt from CPR training.

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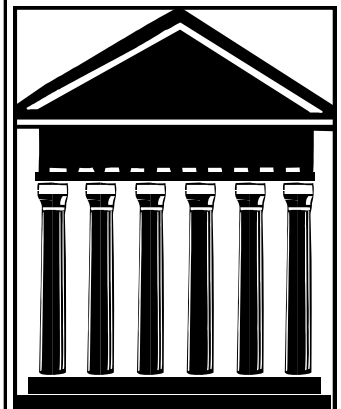


Scott County Child Care Licensing

Winter February, 2014

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2013-2014 New Legislative Changes

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- **First Aid Training:** Must be repeated every 2 years per Minnesota Statutes, Section 245A.50 Subd. 2. When children are present in a family child care home, at least one staff person must be present in the home who has been trained in First Aid. This training must be provided by an individual approved to provide First Aid instruction. A substitute caregiver who provides less than 30 hours of care during any 12 month period, is exempt from First Aid training.
- **Sudden Unexpected Infant Death Training (formerly known as Sudden Infant Death Syndrome training):** Must be repeated once every two year in-person and must be at least one-half hour in length and a video option of no more than one hour in length allowed in the alternate year per Minnesota Statutes, Section 245A.50 Subd. 5 License holders must document that before staff persons, caregivers, and helpers **assist in the care of infants**, they receive training on reducing the risk of sudden unexpected infant death. This training will be developed or approved by the commissioner in conjunction with the Minnesota Sudden Infant Death Center and approved by the Minnesota Center for Professional Development.
- **Abusive Head Trauma Training (Formerly known as Shaken Baby Syndrome Training):** Must be repeated every year and must be at least one-half hour in length per Minnesota statutes, Section 245A.50 Subd. 5. In addition, license holders must document that before staff persons, caregivers, and helpers **assist in the care of infants and children under school age**, they receive training on reducing the risk of abusive head trauma from shaking infants and young children. At minimum, the training must address the risk factors related to shaking infants and young children, means of reducing the risk of abusive head trauma in child care, and license holder communication with parents regarding reducing the risk of abusive head trauma. This training will be developed by the commissioner in conjunction with the Minnesota Sudden Infant Death Center.

SCENARIOS: Following are some examples that show when the new training requirements are effective.

1. License holders with January 1, 2014 through June 30, 2014 renewal date - new requirements for annual training not yet in effect this year. New increased annual training requirements being monitored as of July 1, 2015 and that means for 2015 annual visit for above months, provider will still need 8 hours of training but for the following year 2016 and onward, providers will need 16 hours of annual training.
2. License holders with July 1, 2014 through June 30, 2015 renewal date - This year with above renewal date, new requirements for annual training are in effect but not being monitored until July 1, 2015 and that means for July 2014 through June 2015 annual visit, providers will need 8 hours of annual training but for the following year from June 2015 and onward the providers with the above renewal date will need 16 hours of annual training.
3. License holders with July 1, 2015 through June 30, 2016 renewal date - New increased annual training requirements is being monitored as of July 1, 2015 and that means for 2013 through 2014 with above renewal date providers will need 8 hours of annual training and from 2015 and onward for above renewal date providers will need 16 hours of annual training.

The new training requirements effective dates could get confusing. Please, talk to your licensor to figure out.

***** Effective July 1, 2015 licensors will start monitoring new increased annual training requirements.**

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2013-2014 New Legislative Changes

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Information on the new and increased training requirements as a result of 2013 legislation is now posted on the DHS Licensing Web Site at the following address: http://www.dhs.state.mn.us/main/id_028228#FCC under title "2014 Training Documents". You will see 4 bulleted links. Each link contains different pieces of information that explains the training requirements changes. Click on the following links.

1. [Postcard notification](#) that was mailed to all licensed providers.
2. [Memorandum to family child care providers](#). This letter describes the **effective dates**, the different ways to **obtain the required trainings**, and opportunities being made available for **low cost training**.
3. [Guide \(scenarios\) to new 2014 training requirements](#). This chart gives different examples of renewal dates and when the new requirements take effect given each provider's renewal date.
4. [Information for Trainers](#). This link has information for trainers.

Please, refer to this site for information on what is required for annual in-service training, effective dates, how you can access the training and organization that provide approved training.

****** Providers, if you have additional questions after reviewing all of the information, please feel free to contact your licenser for clarification.**

NEW AND UPDATED FORMS - REMINDER

All the providers have been informed about new and updated forms earlier via email or via mail that provider needs to use. The forms #1, 2, and 3 are available on Child care License Website under "Provider information" under "Child Care License Renewal Form". This is just a reminder about that.

1. New application - Effective March, 2014.
 - Please note: Application needs to be notarized - only once when you fill out your next relicensing paperwork. Scott County licensers are now official notary public and they can notarize your application when they come out for your visit. Do not sign or date your application when you send it in with your renewal paperwork. Your licenser will bring back your application on your visit for you to sign and date it in front of them for them to notarize your application.
 - Notarization is required again for change of address or when you add another person to your license.
 - On the application, provider needs to provide MN Tax ID (if you have one), Social Security Number (required) and Federal Employer ID Number (FEIN-if you have one). This is a DHS requirement.
2. Workers Compensation Insurance Verification Form- New form effective March, 2014. Minnesota workers' compensation law requires all employers to purchase workers' compensation insurance for their employees. This law is applicable to child care providers because owning an in-home child care is a business and if you have a paid employee who helps out with your business, then you must purchase workers' compensation insurance.
3. Family Child Care Licensing Checklist - DHS updated the form Effective 11-2013.
4. Crib Safety Inspection Form and Monthly Fire and Storm Log - Remember to use this new form.
5. Admission and Arrangement Form - Remember to have all current families and new families fill out this form.
6. Family Child Care Liability Insurance Notice Form - Remember to use this new form.
7. Parental Consent for Swaddling Infant Form - Remember to use this form if applicable.

****** Forms #5, 6, and 7 are found under "Provider Information" and under "Links to DHS Forms".**

DID YOU KNOW!!!!

Attendance Records for Child Care Assistance Program (CCAP)

A family child care provider licensed under 245A Subd. 14 (b) and (d) and according to Minnesota Rules, chapter 9502, must maintain documentation of attendance records for each child receiving care for which the license holder is reimbursed by a government program such as CCAP. The parent or guardian must provide written documentation on the actual day of attendance, which must include:

1. The first and last name of child.
2. The time of the day that child was dropped off
3. The time of the day that the child was picked up.

These records must be accessible to your licensuror during the program's hours of operation. Attendance forms are available from Child Care Assistance, if needed.

Beginning August 1, 2013, licensing workers may issue a correction order if appropriate records are not kept.

DID YOU KNOW?

Think Small will no longer be distributing the thick training catalogs with the course information and description as they have in the past. However, the new Training 'Calendars' distributed by Think Small, should be arriving in your mailbox any day (if not already). You can also download the new January-June 2014 Training Calendar by clicking here: <http://www.thinksmall.org/files/pdf/Metro%20Calendar%20single.pdf>

To register for the training, as a licensed provider, you already have a MNStreams account set up. You can register for classes and view full course descriptions @ www.mnstreams.org You are also welcome to call the Think Small Registration Line if you prefer to register by phone instead, or if you need to inquire about your log-in information. The number to call at Think Small is 651-641-3549.

A few reminders about the new catalog, how to register for the trainings and new training policies:

To register for trainings online via MNStreams.org, you must have a User ID & Password.

If a provider is licensed or ever taken training through them before, they already have an existing account with MNStreams. Many providers do not know their MNStreams User ID and Password, please call their **Registration Line** to receive it: 651-641-3549.

There are **NEW training policies** being implemented in the January-June 2014 catalog. Some changes are significant, so please become familiar with their new policies. Only on-line registration and registration via phone are accepted. There are no mail-in forms available nor will they accept any faxed-in registration. Providers will be charged administrative fee in some instance like for registering for class after 7 days notice or for registering for another class after cancelling it. Click on the following link to see the new policies/changes.

<http://www.thinksmall.org/files/pdf/TS%20Registration%20Policies-Final.pdf>

Items that MUST be Posted

Good communication and honesty are the foundation of a successful business, which includes family child care. Parents want and appreciate knowing what their children do and eat each day. By posting an activity calendar and menu, providers can help insure that parents have easy access to that information. Many providers have a bulletin board or some other designated area in their entryway which is used to communicate with parents on a daily basis.

It is also important that all providers abide by the Day Care Rule and **post required** items in a place that all current and prospective child care parents entering your home will be able to view. Failure to do this may result in a correction order or further negative action against your license.

9502.0335, Subp. 10 **Posting license**. The provider shall post the license in the residence in a prominent place. **You had to do a lot to become licensed-be proud of it!**

245A.06, Subd. 8 **Requirement to post correction order**. For licensed family child care providers, upon receipt of any correction order or order of conditional license issued by the commissioner under this section, and notwithstanding a pending request for reconsideration of a correction order or order of conditional license by the license holder, the license holder shall post the correction order or order of conditional license in a place that is conspicuous to the people receiving services and all visitors to the facility for two years. **Posting completed correction orders educates parents about licensing standards, and also indicates your professional acknowledgement and commitment to rectify a violation.**

Freedom to Breathe in Family Day Care - Smoking is not permitted during business hours within the indoor areas of a Minnesota licensed day care or group family day care provider home. This includes three season porches and attached garages. If indoor smoking is allowed in a day care home outside of the hours of operation, the day care provider must disclose after-hour smoking by:

1. Posting a conspicuous written notice on or immediately inside of all entrances to the day care area and,
2. Orally informing parents or guardians that smoking is allowed in the home outside the hours of operation.

245A.07, Subd. 5. **Requirement to post licensing order or fine**. For licensed family child care providers and child care centers, upon receipt of any order of license suspension, temporary immediate suspension (TIS), fine, or revocation issued by the commissioner under this section, and notwithstanding a pending appeal of the order of license suspension, TIS, fine, or revocation by the license holder, the license holder shall post the order of license suspension, TIS, fine, or revocation in a place that is conspicuous to the people receiving services and all visitors to the facility for two years.

REPORTING CRIMINAL INFORMATION

As stated in MN Statute 245C.05, Subd. 6.(b), it is the responsibility of the license holder to report any possible crime or maltreatment that has been committed by anyone who is subject to a background study for their licensed program. When a license holder becomes aware of an arrest and/or a charge, regardless of when it occurs, the information must be reported immediately to their licensing worker. When you fill out "Checklist Form" with your renewal paperwork, please answer the question pertaining to this topic honestly. It is not acceptable to wait until a background study is to be completed for a relicensing or annual visit. **Failure to answer honestly may result in a negative licensing action. Actions of anyone living or working in the licensed daycare home may affect a provider's daycare license.**

MEENA'S CORNER

IT COULD BE YOU!!!!

WHAT HAPPENES WHEN PROVIDER IS NOT FOLLOWING CHILD CARE LICENSING RULE...

The following order was issued to a provider in another county (name of the county will remain confidential) from Department of Human Services for violating Child Care License Rule. The provider was fined a total amount of \$1800. This provider had 4 different rule violations. The provider was fined as well as was put on a conditional license for two years.

ORDER

ORDER TO PAY A FINE

A. Reason for the Order to Pay a Fine

Pursuant to Minnesota Statutes, section 245A.07, subdivision 3, the Commissioner of Human Services may fine license holders \$200 for each occurrence of a violation of law or rule governing matters of health, safety, or supervision.

Citation One: Minnesota Statutes, section 245C.03, subdivision 1, BACKGROUND STUDY; INDIVIDUALS TO BE STUDIED; Minnesota Statutes, section 245C.04, subdivision 1, paragraph (h), WHEN BACKGROUND STUDY MUST OCCUR.

Violation (s): On June 21, 2013, (no name) County Social Services determined that you failed to submit background studies for two substitute caregivers as required. On July 5, 2013, you were issued a correction order for this licensing violation.

Previously, on March 1, 2012, (no name) County determined that you failed to submit a background study on a substitute caregiver as required. On March 1, 2012, you were issued a correction order for this licensing violation.

Fine: \$600 (\$200 per occurrence- three occurrences)

Citation Two: Minnesota Statutes, section 245A.50, subdivision 5, TRAINING ON RISK OF SUDDEN UNEXPECTED INFANT DEATH (SUID) AND ABUSIVE HEAD TRAUMA (AHT).

Violation (s): On June 21, 2013, (no name) County determined that two substitute caregivers had not completed the required training to reduce the risk of SUID and AHT prior to caring for children. On July 5, 2013, you were issued a correction order for this violation.

On July 18, 2013, (no name) County determined that another substitute caregiver had not completed the required training to reduce the risk of SUID and AHT prior to caring for children.

Previously, on March 1, 2012, (no name) County determined that a substitute caregiver had not completed the required training to reduce the risk of SUID and AHT prior to caring for children. On March 1, 2012, you were issued a correction order for this violation.

[Laws of Minnesota 2013, Chapter 108, Article 3, Section 21, changed Sudden Infant Death Syndrome (SIDS) to Sudden Unexpected Infant Death (SUID), and Shaken Baby Syndrome (SBS) to Abusive Head Trauma (AHT).]

Fine: \$800 (\$200 per occurrence- four occurrences)

Citation Three: Minnesota Statutes, section 245A.07, subdivision 3. SANCTIONS. LICENSE SUSPENSION, REVOCATION, OR FINE.

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MEENA'S CORNER

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Violation (s): On June 21, 2013, (no name) County determined that you provided false and misleading information regarding the use of substitute caregivers. You replied "no," when asked if you used any other substitute caregivers. (no name) determined that you had used another substitute caregiver. On July 5, 2013, you were issued a correction order for this licensing violation.

Fine: \$200

Citation Four: Minnesota Statutes, section 245A.06, subdivision 3. CORRECTION ORDER AND CONDITIONAL LICENSE. FAILURE TO COMPLY.

Violation (s): On March 1, 2012, (no name) County issued you a correction order for failure to ensure a background study and required training had been completed for a substitute caregiver.

On July 5, 2013, (no name) issued you a correction order for failure to ensure that background studies and required training had been completed for two substitute caregivers. You failed to comply with the previous correction order issued March 1, 2012.

On September 26, 2013, (no name) County issued you a correction order for failure to comply with the correction order issued on July 5, 2013.

Fine: \$200

B. Total Fine amount: \$1,800

Also, according to Minnesota Statutes section 245A.07, subdivision 3, paragraph (c), clause (5), when a fine has been assessed, the license holder may not avoid payment by closing, selling, or otherwise transferring the licensed program to a third party. In such an event, the license holder will be personally liable for payment. In the case of a corporation, each controlling individual is personally and jointly liable for payment.

II. ORDER OF CONDITIONAL LICENSE

The Commissioner is also placing your license to provide family child care services under Minnesota Rules, parts 9502.0300 to 9502.0445, on conditional status for two years.

End of Order

This provider was fined for not submitting background studies on two substitutes as required, for providing false and misleading information, and for not completing required trainings.

The number of sleep space fines that have been issued in the last couple of years-from the time licensors were directed to recommend fines for sleep space violations are following:

- In 2012, 71 fines were issued.
- In 2013, by mid December, 141 sleep space fines have been issued.

The intention of this article in this newsletter is to make our providers aware that anyone who violates child care licensing rule governing matters of health, safety, or supervision, providing false or misleading information or for not completing required SUID and AHT trainings before caring for children in care, Scott County Child Care License will be recommending a fine and/or recommend the license be put on conditional status or recommend the license be suspended or even revoked.



Scott County
Child Care Licensing

Government Center 300
200 Fourth Avenue West
Shakopee, MN 55379



Partnership



They bring their child to me
and hope I'll come to know.
How much the offspring means to them,
their trust in me bestowed.
They bring their child to me
with love and hope and pride,
looking for a helping hand,
a teacher who will guide.
They bring their child to me,
and our partnership is clear:
To nurture and allow to bloom
a life we both hold dear.
They bring their child to me,
a step toward letting go
and trusting in our special plan
to help the child grow.



~ By Gloria Weber Henbesst ~
