

## Legislative Updates:

### **Legislative Changes to Minnesota Rules, Chapter 9502 - effective 2006**

Note that all enactment dates are July 1, 2006 unless otherwise specified.

#### ***CHANGES IN TRAINING REQUIREMENTS:***

**Child Care Training and Professional Development:** Increases annual training hours required for licensed family child care providers from 6 to 8 hours. Requires that all new family child care providers complete 2 hours of training covering basic early childhood development within their first year of providing care, unless they possess extensive previous early childhood development training. These 2 hours will count towards the annual 8 hours of required training.

**Exemption for CPR and first aid training for family child care providers employed as substitutes** for less than 30 hours during a 12-month period. (Effective 5/17/06) Allows video training of first aid and CPR for family child care providers, IF approved by the licensing agency. Currently, Dakota County has not approved video training for CPR. (Effective 5/17/06)

**Child Car Seat Restraint Training:** Exempts child care providers who transport children only in buses from car seat restraint training.

#### ***FAMILY CHILD CARE EXEPTION FOR NOTIFICATION OF VARIANCE OR SET-ASIDE:***

Provides an exception for notification of a variance or set-aside to family child care licensed providers when the subject of the variance or set-aside is a minor (under age 18) who has committed a misdemeanor level theft crime.

#### ***SYRUP OF IPECAC REMOVAL:***

Effective May 15, 2006, the Ipecac Syrup requirement has been removed from the child care Rule.

#### ***CHILD CARE ASSISTANCE PROGRAM CHANGES & APPROPRIATIONS:***

Note that all enactment dates are July 1, 2006 unless otherwise specified.

**Absent Day Policy Clarification & Notification:** Clarifies that only full-day absent days count against a family's 25 day cap. Part-day absences do not count against the cap. Providers must be reimbursed for up to ten state/federal holidays or the days designated as holidays when the provider charges all families for these days. Parents may substitute other cultural or religious holidays for the ten recognized state/federal holiday. These holidays do not count against the family's 25 day cap. The provider and parent will receive notification of the number of absent days used upon initial provider authorization and when the family has used 15 cumulative absent days. When MEC2 is implemented, notification will occur on an on-going basis.

**Accreditation Differential Rate:** Allows accredited providers serving CCAP children to charge the state up to 15% above the maximum reimbursement rate if they also charge private-pay families that higher rate. The state may not pay a rate higher than what is charged private-pay families.

**Child Care Reimbursement Rates:** Provides a 6% increase in CCAP reimbursement rates up to the allowable maximum reimbursement rate. Rates will be adjusted for existing providers by September 2006, and for new families beginning July 1, 2006.

**Co-Pay Scholarships/Third-Party Payments:** Allows third-parties to pay the required parent co-pay for the parent. The scholarship, or third-party payment, does not count towards the family's income in relation to eligibility to public assistance programs. Documentation by the provider is required. Enactment date: May 6, 2006.

### **CRIB SAFETY CLARIFICATION:**

Allows child care providers to use mesh-sided cribs, including use for infants, which have not been identified as unsafe by the U.S. Product Consumer Safety Commission. 245A.146 effective 1/1/06

All licensed child care providers must maintain documentation of the brand name and model number for every crib that is used or accessible to children in care. If this information is not available, the crib cannot be used or be accessible to children in care.

All license holders shall annually check all of their cribs' brand names and model number against the U.S. Consumer Products Safety Commission (CPSC) listing of unsafe cribs. The Department of Human Services will maintain a link from the licensing division web site to the CPSC site. License holders must maintain documentation that these reviews were completed and which of the following condition applies:

- The crib was not listed as unsafe;
- The crib was identified as unsafe, but the license holder has taken the action directed by the U.S. CPSC to make the crib safe; or
- The crib was identified as unsafe and the license holder has removed the crib so that it is no longer used or accessible.

Documentation of the review shall be maintained by the license holder and made available to parents of children in care and licensing staff.

License holders shall complete a monthly safety inspection sheet, to be provided by the licensing worker, on each crib that is used or is accessible to children and must document the following:

- No corner posts extend more than 1/16 of an inch;
- No spaces between side slats exceed 2.375 inches;
- No mattress supports can be easily dislodged from any point of the crib;
- No cutout designs are present on end panels;
- No heights of the rail and end panel are less than 26 inches when measured from the top of the rail or panel in the highest position to the top of the mattress support in it's lowest position;
- No screws, bolts or hardware are loose or not secured and there is no use of woodscrews in components that are designed to be assembled and disassembled by the crib owner;

- No sharp edges, points or rough surfaces are present;
- No wood surfaces are rough, splintered, split or cracked;
- There are no tears in mesh of fabric sides in non-full-size-cribs;
- No mattress pads in non-full-size mesh or fabric cribs exceed one inch thickness; and
- No gaps between the mattress and any sides of the crib are present.

For porta cribs the height measurement between the crib mattress support in its highest adjustable position and the side rail in its lowest adjustable position cannot be less than 5 inches to prevent against accidental falls.

For porta cribs the height between the crib mattress support in its lowest adjustable position and the side rail in its highest adjustable position cannot be less than 22 inches to guard against falls.

### ***POSTING OF CORRECTION ORDERS, CONDITIONAL LICENSES, AND LICENSING SANCTIONS:***

Provider's must post, in a place conspicuous to parents and visitors, all correction orders, conditional licenses, and licensing sanctions for 2 years, even if the action is under appeal by the license holder.

### ***SIDS/SHAKEN BABY SYNDROME TRAINING:***

The Department of Human Services shall make available for viewing by all licensed child care providers, a video presentation on the dangers associated with shaking infants and young children. The video presentation shall be part of the initial and annual training of licensed child care providers. The commissioner shall provide to child care providers, at cost, copies of a video approved by the commissioner of health.

In addition to the required training on reducing the risk of and Sudden Infant Death Syndrome (SIDS), child care providers must receive training on reducing risks for Shaken Baby Syndrome. The combined training must be a minimum of 1 hour in length and be received at least once every 5 years. However, the shaken baby syndrome video must be viewed annually.