

The 1999 Minnesota Legislature amended the Human Services Licensing Act (HSLA), Minnesota Statutes 1999, chapters 36 and 245.

SUNSET OF THE EXPANSION OF UNLICENSED CHILD CARE

Effective June 30, 1999 the Expansion of Unlicensed Child Care Laws of Minnesota 1997, chapter 248, section 46, **sunset**. Effective July, 1, 1999 unlicensed child care providers previously exempt from licensure under the expansion will be required to be licensed according to Minnesota Statute 245A.03. A license is still not required in the following child care situations under Minnesota Statutes, section 245A.03, subdivision 2:

- (1) child care provided by a relative to only related children; and, or
- (2) child care provided to children from a single, unrelated family.
- (15) child care provided to children for a cumulative total of less than 30 days in any 12 month period

Denial of Licensure *Effective July 1, 1999*

Minnesota Statutes 1998, section 245A.08, subdivision 5, is amended to read:

Subd. 5. [NOTICE OF THE COMMISSIONER'S FINAL ORDER.]

An applicant whose application was denied must not be granted a license for two years following a denial, unless the applicant's subsequent application contains new information which constitutes a substantial change in the conditions that caused previous denial.

USE OF PORTABLE WADING POOLS IN FAMILY CHILD CARE SETTINGS *Effective May 26, 1999 and Sunsets on June 30, 2001*

Session Laws of 1999, Chapter 245, Article 1, Section 3:

[PORTABLE WADING POOLS.] (a) Portable wading pools used in the following settings are defined as private residential pools, and not public pools, for purposes of public swimming pool regulation under Minnesota Rules, chapter 4717, provided they have a maximum depth of 24 inches and are capable of being manually emptied and moved:

- (1) a portable wading pool operated at a family day care or group family day care home that is licensed under Minnesota Rules, chapter 9502; and
- (2) a portable wading pool operated at a home at which child care services are provided under Minnesota Statutes, section 245A.03, subdivision 2, clause (2), or under Laws 1997, chapter 248, section 46, including subsequent amendments.

(b) Portable wading pools may not be used by a child at a setting specified in paragraph (a), clause (1) or (2), unless the parent or legal guardian for the child in care has provided written consent. The written consent shall include a statement that the parent or legal guardian has received and read material provided by the department of health to the department of human services for distribution to all child care facilities, related to the use of portable wading pools concerning the risk of disease transmission as well as other health risks.

(c) This provision is effective the day following final enactment.

FAMILY AND GROUP FAMILY CHILD CARE AGE GROUP DEFINITIONS

Effective April 13, 1999

Minnesota Statutes 1998, section 245A.02, is amended by adding a subdivision to read:

Subd. 19. [FAMILY DAY CARE AND GROUP FAMILY DAY CARE CHILD AGE CLASSIFICATIONS.]

NEWBORN means a child between birth and six weeks old.

INFANT means a child who is at least six weeks of age but less than 12 months of age.

TODDLER means a child who is at least 12 months old but less than 24 months old for family and group family child care (Class A and Class C1, C2, C3). For specialized infant and toddler family and specialized group family child care (Class B1, B2, and D) a toddler means a child who is at least 12 months old but less than 30 months old.

Class A	12 months to less than 24 months
Class B1	12 months to less than 30 months
Class B2	12 months to less than 30 months
Class C1	12 months to less than 24 months
Class C2	12 months to less than 24 months
Class C3	12 months to less than 24 months
Class D	12 months to less than 30 months

PRESCHOOLER means a child who is at least 24 months old up to the age of being eligible to enter kindergarten within the next four months (May 10).

SCHOOLAGER means a child who is at least of sufficient age to have attended the first day of kindergarten OR is eligible to enter kindergarten within the next four months (May 10), but is younger than 11 years of age.