

The 2007 Minnesota Legislature amended the Human Services Licensing Act (HSLA), Minnesota Statutes, Chapter 245A, The Department of Human Services Background Studies Act, and Minnesota Statutes, Chapters 245C, 144 and 13.

Amendments to Minn. Statute 245A

245A.04 – Pandemic planning – Effective Aug 1, 2007

Subd. 15 - Upon request, the license holder must cooperate with state and local government disaster planning agencies working to prepare for or react to emergencies presented by a pandemic outbreak.

245A.10 – County fees for background studies and licensing inspections – Effective Jan 1, 2008

Subd. 2 – For purposes of family and group family child care licensing under this chapter, a county agency may charge a fee to an applicant or license holder to recover the actual cost of background studies, but in any case not to exceed \$100 annually. A county agency may also charge a license fee to an applicant or license holder to recover the actual cost of licensing inspections, but in any case not to exceed \$50 for a one-year license or \$100 for a two-year license.

Wright County will be charging a \$100 background study fee and a \$50 licensing inspection fee per year. (Total of \$200 for a 2-year license, \$150 for a 1-year license)

245A.1435 – Reduction of risk of sudden infant death syndrome in licensed programs – Effective August 1, 2007

When a license holder is placing an infant to sleep, the license holder must place the infant on the infant's back, unless the license holder has documentation from the infant's parent directing an alternative sleep position for the infant, and must place the infant in a crib with a firm mattress. The license holder must not place pillows, quilts, comforters, sheepskin, pillow-like stuffed toys, or other soft products in the crib with the infant. Licensed child care providers must meet the crib requirements under section 245A.146.

Wright County licensing would encourage providers to follow the recommendation of the SIDS center and always place infants to sleep on their backs.

245A.50 – Family child care training requirements – Effective August 1, 2007

- Clarification on the definition of "child growth and development training". For purposes of this subdivision, "child growth and development training" means training in understanding how children acquire language and develop physically, cognitively, emotionally, and socially.

245A.50 – Family child care training requirements – Effective August 1, 2007

Subd. 6 (c) Child passenger restraint systems; training requirement. Child care providers that only transport school age children as defined in section 245A.02, subdivision 19, paragraph (f), in child care buses as defined in section 169.448, subdivision 1, paragraph (e), are exempt from this subdivision.

Amendments to Minn. Statutes, Chapter 245C: Background Studies Act

245C.301 – Notification of set-aside or variance– *Effective May 26, 2007*

-Clarifies that child care providers no longer have to provide written notice regarding an employee or individual in their home who has a disqualification that was set aside or for which a variance was granted, once the disqualification period has expired.

Amendment to Minn Statutes, Chapter 144: Freedom to Breathe Act

144.414 – Smoking in a child care home –*Effective October 1, 2007*

Subd 2. Day care premises. Smoking is prohibited in a family home or in a group family day care provider home licensed under Minnesota Rules, parts 9502.0300 to 9502.0445, during its hours of operation. The proprietor of a family home or group family day care provider must disclose to parents or guardians of children cared for on the premises if the proprietor permits smoking outside of its hours of operation. Disclosure must include posting on the premises a conspicuous written notice and orally informing parents and guardians.

Amendment to Minn Statutes, Chapter 13: Data Privacy

13.46 – Licensing data – *Effective August 1, 2007*

Previously, data on applicants, as compared to current or former license holders, was considered private information. 2007 legislation makes applicant data public. This includes applicants names, addresses, telephone numbers, names of family members, previous license history, etc. In addition, data regarding applicants who have been denied licensure is now considered public data.