

2024 Legislative Changes for Certified Child Care Centers

New laws passed by the 2024 Legislature include several provisions that impact certified child care centers. Most of these changes go into effect October 1, 2024; other changes have different effective dates. This document is a high-level summary and does not include specific details of all of the changes. A full implementation plan with detailed descriptions of the changes and what providers need to do will be emailed to providers in August.

Effective May 25, 2024:

- **Contraindicated restraints:** In 2023, language was added to 245A.211 prohibiting the use of prone restraints and contraindicated physical restraints. Clarifying language has been added to 245A.211, subd. 4 to make clear that certification holders only need to document if there is a known medical or psychological condition. [Minnesota Laws, Chapter 127, Article 62, Section 11](#)

Effective July 1, 2024:

- **Child Care Assistance Program (CCAP) reporter confidentiality:** Upon completion of an investigation related to suspected fraud, the reporter's name must be kept confidential. However, the name can be disclosed upon consent of the reporter, or upon a written finding by a district court that the report was false and there is evidence that the report was made in bad faith. This provision makes processes for reporting suspected CCAP fraud consistent with the process for reporting other types of fraud at DHS. If you have questions about CCAP fraud, please visit: [Program integrity / Minnesota Department of Human Services \(mn.gov\)](#). [Minnesota Laws, Chapter 115, Article 19, Section 14](#)

Effective October 1, 2024:

- **Children's records:** Certified centers must have a record for each child enrolled in their program with certain information maintained. [Minnesota Laws, Chapter 115, Article 19, Section 2](#)
- **Infant, toddler, preschooler, school-age child definitions:** Each age category is now defined in 245H.01 and the age category terms, without the full definitions, are in the maximum group size and ratio sections. [Minnesota Laws, Chapter 115, Article 19, Sections 15-18 and 22-23](#)
- **Conditional certification, reconsideration:** DHS Licensing may issue a conditional certification to a certified child care center when certification violations require action more serious than a correction order. An applicant or certification holder may request reconsideration of a conditional certification. [Minnesota Laws, Chapter 115, Article 19, Sections 19-20](#)
- **Director or designee:** The role of someone acting as the director's designee, in the director's absence, is clarified. [Minnesota Laws, Chapter 115, Article 19, Section 21](#)

- **First aid and CPR training timelines:** The timeline for first aid and CPR training is adjusted from "within the first 90 days of employment" to "within 90 days after the first date of direct contact with a child." [Minnesota Laws, Chapter 115, Article 19, Section 24](#)
- **Child development training timeline:** The timeline for child development training is adjusted to "within 90 days after the first date of direct contact with a child." [Minnesota Laws, Chapter 115, Article 19, Section 25](#)
- **Child care background study subject:** A certified child care center authorized agent is now explicitly named in the definition of a child care background study subject. [Minnesota Laws, Chapter 115, Article 19, Section 10](#)

Effective January 1, 2025:

- **Public email address:** The certification holder's email address will become public data. This applies to all license and certification holders except family child foster care. The certification holder can choose which email to provide as their public certification holder email address. At this time, certification holders do not need to take any action. DHS Licensing will provide further guidance prior to January 1, 2025. [Minnesota Laws, Chapter 115, Article 19, Section 1](#)

Effective upon transfer to the Department of Children, Youth, and Families (anticipated July 2025):

- In anticipation of the move to the new Department of Children, Youth, and Families (DCYF), the legislature made technical changes to many parts of statute, including child care certification. For example, the language moves existing certification standards to a new chapter. It also changes "Department of Human Services" references to "Department of Children, Youth, and Families." The language does not take effect until child care certification moves to DCYF in July 2025. Providers and licensors do not need to make any changes at this time. More information will be provided next year, prior to the transfer of child care certification to DCYF.
- **Nonmaltreatment mistake:** When a maltreatment investigation occurs, there is an option for a potential nonmaltreatment mistake determination in a certified center. [Minnesota Laws, Chapter 115, Article 19, Section 26](#)

Background studies

Updates on legislative changes related to background studies, as they become available, will be posted on the ["What's new" for background studies webpage](#).