

2024 Legislative Changes for Licensed Child Care Centers

New laws passed by the 2024 Legislature include several provisions that impact licensed child care centers. This document outlines those changes.

The hyperlinks within this document direct centers to where the new law can be found. When reviewing the new law:

- Text that is stricken with a line through it reflects words that are being removed from the law.
- Text that is underlined reflects words that are being added to the law.
- Text that is unchanged reflects what the law was before and continues to be the law.

Later this year, the Minnesota Office of the Revisor of Statutes will update the statute sections on their website to reflect the new laws.

Reusable water bottles or cups

Centers now have the option to send a reusable water bottle or cup home with the child's parent or legal guardian to be cleaned and sanitized each day it is used or continue to clean and sanitize it at the center. If you plan to change your policy and send a child's water bottle or cup home for cleaning and sanitizing, you must update your written policy to reflect this change.

See [Minnesota Laws, Chapter 115, Article 19, Sec. 5](#)

Effective date: July 1, 2024

Risk reduction plan – preschool bathroom supervision

Centers that use the supervision flexibility found in [245A.02, subd. 18 \(e\)](#) for preschoolers using an individual, private restroom within the classroom, must add specific procedures to the supervision section of the Risk Reduction Plan to train staff and ensure adequate supervision under this definition. DHS has updated the [Risk Reduction Plan form](#) to reflect the new language.

See [Minnesota Laws, Chapter 115, Article 19, Sec. 9](#)

Effective date: August 1, 2024

Weighted risk system

The 2024 Legislature added language to statute to adopt a weighted risk system. A weighted risk system is a tiered licensing framework where a weight is assigned to each regulation, representing the potential impact to children in care if a regulation is violated. The weighted risk system will result in a greater number of regulations eligible for documented technical assistance and will replace the current fix-it ticket system. It is also anticipated to improve consistency in licensor decision-making by providing licensors with data-driven information about the risk associated with different violations. Fix-it ticket language in [245A.065](#) will expire upon the implementation of the weighted risk system. DHS will provide more guidance when the weighted risk system is ready to be implemented, which will be after the Provider Hub is live for all child care license types.

See [Minnesota Laws, Chapter 115, Article 15, Sections 1 and 2](#)

Effective date: After the Provider Hub is live for all child care license types, anticipated sometime in 2025

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 license holders only need to document if there is a known medical or psychological condition. If there is a known condition, centers should include that in the child's Individual Child Care Program Plan.

See [Minnesota Laws, Chapter 127, Article 62, Section 11](#)

Effective date: May 25, 2024

Public email address

The license holder's email address will become public data. This applies to all license holders except family child foster care. The license holder can choose which email to provide as their public license holder email address. At this time, license holders do not need to take any action. DHS Licensing will provide further guidance prior to January 1, 2025.

See [Minnesota Laws, Chapter 115, Article 19, Section 1](#)

Effective date: January 1, 2025

Change in ownership

The requirements for programs changing ownership were updated to:

- clarify the types of changes that require a new license.
- align timeframes with other licensure processes.
- explain the emergency change in ownership process, and
- remove the temporary change in ownership license.

See [Minnesota Laws, Chapter 127, Article 62, Sections 2-6](#)

Effective date: January 1, 2025

Department of Children, Youth, and Families recodification

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 licensing. For example, the language moves existing licensing standards to a new chapter for programs that will be licensed by DCYF. It also changes “Department of Human Services” references to “Department of Children, Youth, and Families.” The language does not take effect until child care licensing 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 licensing to DCYF.

Effective date: Upon the transfer of child care licensing from DHS to DCYF (anticipated July 2025)

Additional information

Immunization policies for child care

Effective August 1, Minnesota Department of Health statutes will allow child care centers and family child care providers the option to set immunization policy to not enroll unvaccinated children with [non-medical exemptions](#). It is important to recognize that:

- Non-medical exemptions remain an option in Minnesota.
- Child care providers must continue to enroll unvaccinated children with [medical exemptions](#), signed by a health care provider.
- The provider’s policy may apply to children over two months of age who are enrolling in or are currently enrolled in the program.

This is an optional policy that providers may choose to have and is not a required DHS Licensing policy.

See [Minnesota Laws, Chapter 115, Article 18, Sections 5-6](#)

Effective date: August 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 \(mn.gov\)](#).

See [Minnesota Laws, Chapter 115, Article 19, Section 14](#)

Effective date: July 1, 2024

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](#).