

Family Child Care Licensing: Implementation plan for 2024 legislative changes

New laws passed by the 2024 Legislature include several provisions that impact family child care. This document outlines an overview of each change, instructions for what providers need to do about the change, the date the change is effective, and guidance on how licensors will monitor these changes.

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

- 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.

Pediatric first aid and CPR training timelines

Overview

This language allows a family child care provider, second adult caregiver, or substitute to have an additional 90 calendar days to complete pediatric first aid and CPR training. The extension is based on the date the training was previously taken.

[Minnesota Laws, Chapter 115, Article 15, Sections 3 and 4](#)

Effective date: July 1, 2024

What providers need to do

As before, providers, second adult caregivers, and substitutes need to complete pediatric first aid training every two years. Moving forward, a family child care provider, second adult caregiver, or substitute will have an additional 90 calendar days to complete pediatric first aid training. For example, if you took pediatric first aid training on May 1, 2023, then you will have until July 30, 2025, to complete the training again.

This also applies to pediatric CPR training. As before, providers, second adult caregivers, and substitutes need to complete pediatric CPR training every two years. Moving forward, a family child care provider, second adult caregiver, or substitute will have an additional 90 calendar days to complete pediatric CPR training. For example,

if you took pediatric CPR training on October 15, 2023, then you will have until January 13, 2026, to complete the training again.

For visits taking place on July 1, 2024, or later, licensors will review pediatric first aid and CPR training based on the new timeline for providers, second adult caregivers, and substitutes.

What licensors need to do

For visits taking place on July 1, 2024, or later, licensors will review pediatric first aid and CPR training based on the new timeline for providers, second adult caregivers, and substitutes. To calculate when pediatric first aid training is due, you will look at the date it was previously taken and add 2 years and 90 calendar days. The same applies to pediatric CPR training. Since the number of days in each month can vary, you will need to count out the 90 calendar days rather than using three months as an estimate.

Fire code updates

Overview

This language codifies the most current, applicable 2020 fire code standards for family child care in Minnesota Statutes, Chapter 245A. It updates and consolidates requirements for stairways and for doors between a residence and an attached garage.

[Minnesota Laws, Chapter 115, Article 19, Sections 7 and 8](#)

Effective date: July 1, 2024

What providers need to do

Providers do not need to make any changes.

What licensors need to do

Licensors need to continue to monitor compliance with Minnesota Rules and Minnesota Statutes.

Public email address

Overview

The provider's email address will become public data. This applies to all providers except family child foster care. The providers can choose which email to provide as their public provider email address.

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

Effective date: January 1, 2025

What providers need to do

At this time, providers do not need to take any action. DHS Licensing will provide further guidance prior to January 1, 2025.

What licensors need to do

At this time, licensors do not need to take any action. DHS Licensing will provide further guidance prior to January 1, 2025.

Additional information: Licensing topics

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 Section 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.

[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

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)

Terms for revoked licenses operating under appeal

In serious cases, when programs are not meeting licensing requirements, DHS may revoke a license. If a license holder appeals a license revocation, they may continue to operate the program during the appeal process.

Programs that operate under a revoked license during an appeal may need additional measures in place to ensure licensing requirements are met. Beginning on January 1, 2025, DHS has the authority to add terms the license holder must follow while operating under appeal. DHS will provide further guidance to licensors on this in the future.

[Minnesota Laws, Chapter 127, Article 62, Section 7](#)

Effective date: January 1, 2025

Additional information: Other topics

The changes below are not related to licensing but are for informational purposes only.

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 date: July 1, 2024

Family child care in homeowners associations

Owners or occupants of single-family detached homes and multifamily attached homes that are part of a homeowners association cannot be prohibited from providing family child care. For this to apply, the owner of the home must be the sole owner of the entire building and be solely responsible for the maintenance, repair, replacement, and insurance of the entire building.

The new language does not impact any existing providers or the work of any county licensors. A county licensor will still review the home of anyone who applies for a family child care license to determine if the property meets licensing standards. The language could result in more family child care license applications from owners or occupants of a home in a homeowners association.

[Minnesota Laws, Chapter 123, Article 15, Section 7](#)

Effective date: July 1, 2024

Immunization policies for child care

Effective August 1, 2024, 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.

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

Effective date: August 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](#).