

NUMBER

17-68-19

DATE

September 6, 2017

OF INTEREST TO

County Directors

Social Services Supervisors and
StaffChild Care Assistance Program
Administrative and Client
Access Contacts**ACTION/DUE DATE**Please read information
regarding Phase 1
implementation and comply
with new agency actions
required.**EXPIRATION DATE**

September 6, 2019

Federal and State Changes to the Child Care Assistance Program – Phase 1

TOPIC

Child Care Assistance Program Phase 1 changes effective the week of September 25, 2017 made as a result of the federal Child Care and Development Block Grant (CCDBG) Act of 2014 and the 2017 state legislative session.

PURPOSE

Provide information and instructions on policy changes.

CONTACT

Contact your Child Care Assistance Program technical liaison or submit your question through PolicyQuest.

SIGNED

JAMES G. KOPPEL
Assistant Commissioner
Children and Family Services

TERMINOLOGY NOTICE

The terminology used to describe people we serve has changed over time. The Minnesota Department of Human Services (DHS) supports the use of "People First" language.

I. Background

The Child Care Assistance Program (CCAP) helps approximately 15,000 families pay for child care serving 30,000 children throughout Minnesota.

During the 2017 legislative session, many changes were made to CCAP. Most of these changes were required under the federal Child Care and Development Block Grant (CCDBG) Act of 2014. Additionally, the Department of Human Services (DHS) is implementing other CCAP changes required under the CCDBG Act of 2014 that did not require legislative action at the state level.

Changes in this bulletin relate to changes that are effective the week of September 25, 2017:

- Child care provider training requirements
- Payment timelines for providers
- Background studies for legal nonlicensed providers

This is the second in a series of bulletins covering recent state and federal changes to CCAP.

II. Provider training requirements

Effective September 30, 2017, to continue receiving CCAP payments and remain registered with CCAP, providers must complete new required training. A bulletin ([#17-68-05 Provider Training Requirements for the Child Care Assistance Program](#)) was released March 6, 2017 describing the new requirements.

A. Policy information

1. Determining initial provider compliance

DHS will determine initial compliance with the new training requirements and will instruct county and tribal agencies to end provider registrations for any providers found to be non-compliant after September 30, 2017.

2. Determining on-going provider compliance

CCAP agencies will determine on-going compliance with training requirements for some types of providers. The DHS Licensing Division will be responsible for other provider types.

Provider type	<i>How is compliance determined?</i>
Licensed center	<p>If a center has a valid child care license, consider the provider to have met the requirements.</p> <p><i>Background information</i></p> <p>Legislative changes to licensing laws were made in the 2017 legislative session to align federal requirements and Minnesota state licensing standards. All licensed child care centers will be monitored for compliance with the new training requirements by the DHS Licensing Division</p>
Licensed family child care	<p>If a family child care home has a valid child care license, consider the provider to have met the requirements.</p> <p><i>Background information</i></p> <p>Legislative changes to licensing laws were made in the 2017 legislative session to align federal requirements and Minnesota state licensing standards. All licensed child care centers will be monitored for compliance with the new training requirements by their county licensors.</p>
License exempt center	<p>If DHS has not told you to close a registration for a license exempt provider that was registered before September 30, 2017, then consider the provider to be in compliance.</p> <p>If a provider was not registered as of September 30, 2017 but has completed a revised registration form and affirmed their compliance with training requirements, consider the provider to have met the requirements.</p> <p><i>Background information</i></p> <p>License exempt centers were notified of new training requirements in March 2017 and asked to submit an acknowledgment form to demonstrate compliance with the requirements. DHS will tell agencies to close registrations for providers that do not submit the form by September 30, 2017.</p> <p>In the future, license-exempt centers that want to participate in CCAP will be required to become certified. Once certified, the DHS Licensing Division will monitor these providers for compliance with the training requirements. The Department is in the process of developing a timeline for certification.</p> <p><i>Other changes to support policy</i></p> <p>The CCAP Licensed Exempt Provider Registration and Acknowledgment (DHS-5191) was updated to incorporate acknowledgment of training requirements into the Other affirmations section of the registration form to ensure all new and renewing license exempt providers continue to acknowledge and follow training requirements. The current License Exempt Center Acknowledgment Form (DHS-3768B) is obsolete.</p>

Provider type	<i>How is compliance determined?</i>
Legal nonlicensed (LNL)	<p>In order to be registered, a legal nonlicensed (LNL) provider must submit verification of current training in pediatric first aid and cardiopulmonary resuscitation (CPR). This policy has not changed.</p> <p>New training requirements impact when a CCAP agency can authorize care for a child. See the County and Tribal Actions Needed section for more information on how to authorize care with a legal nonlicensed (LNL) provider.</p> <p><i>Background information</i></p> <p>Legal nonlicensed providers were notified of new training requirements in March 2017 and asked to submit an acknowledgment form and verification of training to demonstrate compliance with the requirements. DHS will tell agencies to close registrations for some providers that do not submit the form by September 30, 2017.</p> <p><i>Other changes to support policy</i></p> <p>The CCAP Legal Nonlicensed Provider Registration and Acknowledgment (DHS-5192) was updated to incorporate acknowledgment of training requirements into the Training section of the registration form to ensure all new and renewing license exempt providers continue to acknowledge and follow training requirements. Continue to use the current Legal Nonlicensed (LNL) Provider Training Documentation form (DHS-3769A). In some cases providers have 90 days to complete training and may submit their training information after they are registered.</p>
Tribally licensed centers and family child care	<p>If DHS has not told you to close a registration for a tribally licensed provider that was registered before September 30, 2017, then consider the provider to be in compliance.</p> <p>See CCAP Policy Manual §11.3.6 (Licensed child care providers – Training Requirements) for additional guidance before registering a new tribally licensed provider after September 30, 2017.</p> <p><i>Background information</i></p> <p>Some tribal licensing agencies have incorporated federal training requirements into their licensing requirements. DHS is working with tribes to determine compliance and offer alternate pathways to providers who are licensed by tribes that have not required training as part of their licensure process. DHS is working to determine compliance for currently registered tribally licensed providers by September 30, 2017.</p>

Provider type	<i>How is compliance determined?</i>
Centers and family child care licensed by other states	<p>If DHS has not told you to close a registration for a provider licensed by another state that was registered before September 30, 2017 then consider the provider to be in compliance.</p> <p>See CCAP Policy Manual §11.3.6 (Licensed child care providers – Training Requirements) for additional guidance before registering a new provider licensed by another state after September 30, 2017.</p> <p><i>Background information</i></p> <p>Some other states have incorporated federal training requirements into their licensing requirements. DHS is working with other states to determine compliance and offer alternate pathways to providers who are licensed by states that have not required training as part of their licensure process. DHS is working to determine compliance for currently registered out-of-state licensed providers by September 30, 2017.</p>

B. MEC² System changes

DHS is updating MEC² so workers can record and track provider training for legal nonlicensed (LNL) providers. No updates will be made for other provider types.

“Related to Child” drop down on Child’s Provider window

When an LNL provider is selected for a family, the “Related to Child” drop down on the Child’s Provider window will refresh and require workers to make a selection.

Provider Training window

DHS will install a new window in MEC² on September 8, 2017 for provider workers to track LNL providers' training requirements. The window will include fields for provider workers to enter the date of training and confirm that verification was provided for each of the following training requirements:

- First Aid (**this field is required to register a provider**)
- Cardiopulmonary resuscitation (CPR) (**this field is required to register a provider**)
- Abusive Head Trauma (AHT)
- Sudden Unexpected Infant Death Syndrome (SUIDS)
- Orientation
- On-going training

Annual inspection

The window will include a space for provider workers to record the date of a provider’s annual inspection. **This field is not being used at this time.** LNL providers are not currently subject to annual inspections. Workers should not enter information in this field.

Installation plan

When the new provider training window is installed, new system logic may impact currently authorized LNL providers.

First aid and Cardiopulmonary resuscitation (CPR) training

DHS has requested that CCAP agencies submit information about the training met by LNL providers registered by their agency. DHS will upload this information into MEC² when the new window is installed. Providers without this information will have their registration closed by MEC².

Other training requirements

DHS is monitoring compliance with other training requirements. Providers who have submitted the [Legal Nonlicensed \(LNL\) Provider Training Acknowledgment Form \(DHS-3769A\)](#) will have data uploaded into the new provider training window when it is installed. DHS will take the following actions for providers who have not submitted the form based on payments and current Service Authorizations:

- **Providers who have not been paid in the last 6 months and do not have a current Service Authorization.** DHS will contact CCAP agencies to close these providers' registrations. Providers and families they serve will receive an adverse action notice prior to their authorization closing.
- **Providers who have been paid in the last 6 months and do not have a current Service Authorization.** These providers' registrations will remain open unless providers request them closed. Agencies must follow instructions for authorizing care with LNL providers prior to issuing new Service Authorizations.
- **Providers who have been paid in the last 6 months and are currently authorized to serve only related children who are at least 5 years old.** No further action will be taken with these providers. These providers are in compliance with training requirements. Agencies must follow instructions for authorizing care with LNL providers prior to authorizing care for new children.
- **Providers who have been paid in the last 6 months and are currently authorized to serve either unrelated children or at least one child who is less than 5 years old.** If these providers have not completed required training, DHS will work with them to ensure training is completed by the end of a 90 day grace period. Providers who do not complete training during the grace period will have Service Authorizations closed on December 30, 2017. Agencies should wait for further guidance from DHS before closing these authorizations. Agencies are encouraged to assist providers and families to understand new training requirements and refer questions to the DHS provider phone line (651-431-4848).

C. County and tribal agency actions needed

When completing the “Related to Child” drop down on the Child’s Provider window

Complete this field whenever care is authorized or is changed with an LNL provider.

Select “Yes” if the provider is (by blood, marriage or court decree) the child’s:

- Grandparent (includes great-grandparents),
- Aunt or uncle (does not include great-aunts or uncles), or;
- Sibling.

Select “No” if the provider is related in another way or not related at all.

When registering a new legal nonlicensed (LNL) provider

When registering a new LNL provider, workers must provide additional information to providers and families about required training. In addition to other required information for families and LNL providers, workers must also send new LNL providers:

- CCAP Training Requirements for Legal Nonlicensed Family Providers (DHS-6419), AND;
- Legally Nonlicensed (LNL) Provider Training Documentation Form (DHS-3769A).

Other registration requirements have not changed.

When authorizing care with a legal nonlicensed (LNL) provider

Workers must check the Provider Training window on the LNL provider’s registration prior to authorizing child care with an LNL provider.

Training required prior to authorizing care with related and unrelated LNL providers

Age of Child	Training required prior to authorizing child care
At least 5 years old	<ul style="list-style-type: none"> • First Aid • Cardiopulmonary resuscitation (CPR)
1-4 years old	<ul style="list-style-type: none"> • First Aid • Cardiopulmonary resuscitation (CPR) • Preventing Abusive Head Trauma (AHT)
Under 1 year old	<ul style="list-style-type: none"> • First Aid • Cardiopulmonary resuscitation (CPR) • Preventing Abusive Head Trauma (AHT) • Preventing Sudden Unexpected Infant Death Syndrome (SUIDS)

Child care cannot be paid until training requirements are met. Do not issue a Service Authorization until training requirements are met. If a provider meets training requirements for some but not all children in the family, the agency can issue a Service Authorization and pay for care only for the children for whom the provider meets the training requirements.

Orientation training for unrelated LNL providers

If the provider is paid to care for any children they are not related to, they must complete the orientation training course “Supervising for Safety – Legally nonlicensed providers” within 90 days of being authorized to care for an unrelated child. Workers must set an alert and track for training compliance. If not completed, close the Service Authorizations for any unrelated children. Once training is completed, Service Authorizations can be issued as of the date the training is completed.

Resources

Updates were made to the CCAP Policy Manual, §11.9.9 (Legal Nonlicensed Providers – Training Requirements) to reflect new policy.

A new tool was developed to help workers determine how to authorize care. See the Training and Resources section of this bulletin for additional information.

III. Provider payment timelines

Effective September 25, 2017, agencies must pay bills within 21 days of receiving a complete bill from the provider.

A. Policy information

CCAP agencies must make payment no later than 21 days after receipt of a complete bill from the provider.

Previously CCAP agencies had to pay bills within 30 days if the provider submitted the bill timely. The new policy requires counties to make payment within 21 days of receiving a complete bill, even if the bill was not received timely.

B. MEC² System implementation

No system changes are being installed.

C. County and tribal agency actions needed

- When a complete bill is submitted, issue payment within 21 days of receipt.

- Consider changes to your internal practices to ensure timely payment according to policy.

IV. Background studies for child care providers

New fingerprint-based background studies will be required for all child care providers who are either licensed or who receive CCAP. The background study requirements affect four provider types:

- Licensed child care centers
- Licensed family child care programs
- Legal nonlicensed providers
- License-exempt centers that are registered to receive funding through the CCAP (these providers are classified as “certified license exempt centers” in state law).

A. Policy information

DHS will be conducting the new studies, but local CCAP agencies will continue to be involved in the background study process for licensed family child care and legal nonlicensed programs. We will work closely with you to coordinate roles and responsibilities. You will be contacted well in advance with instructions for when the new studies will be required and how to initiate them. Implementation of the new comprehensive studies has not yet begun anywhere in the state. Visit the DHS webpage for [information and updates related to background studies](#).

B. MEC² System implementation

No system changes are being installed.

C. County and tribal agency actions needed

Continue processing background studies for LNL providers and their household members according to your current methods. You will receive further guidance from the DHS Background Studies Division before you need to make changes to your background study processes.

V. Training and resources

A. Training opportunities

1. Webinars and videoconferences

Mentor meeting – September 13, 2017

This meeting is open to all workers. For more information visit [SIR > MEC² > MEC² Mentors](#). A SIR login is required.

Authorizing Care with a Legal Nonlicensed (LNL) Provider videoconference – September 20, 2017

Videoconference sites will be available around the state. The training will be offered via a live stream and archived for future viewing. CCAP agencies were invited to join this training in August. If you did not receive information about this training, contact your policy specialist.

2. In person training opportunities

Minnesota Financial Worker and Case Aide Association (MFWCAA) Conference – October 25-27, 2017

DHS will host two sessions to discuss Phase 1 and Phase 2 of the legislative changes. DHS will host a third “open discussion” session to answer questions from workers. Agencies are encouraged to support workers to attend the conference. Workers are encouraged to attend one or both sessions.

Additional in-person training opportunities

DHS plans to provide statewide outreach and in-person trainings in the month of November to cover implemented and upcoming policy changes. More information will be released to CCAP agencies as available.

B. Forms and other documents

1. New forms and other documents

- Changes in Minnesota law affecting families receiving assistance from the Child Care Assistance Program (DHS-7601A). When these forms are published, send to families with Do You Need Help Paying for Child Care (DHS-3551) until further notice. DHS CCAP will notify agencies when the forms are available for use.

- Changes in Minnesota law affecting providers who serve families receiving assistance from the Child Care Assistance Program (DHS-7601B). When these forms are published, send to providers with CCAP Child Care Provider Guide (DHS-5260) until further notice. DHS CCAP will notify agencies when the forms are available for use.

2. Revised forms and other documents

- CCAP Licensed Exempt Provider Registration and Acknowledgment (DHS-5191, version 09/17)
- CCAP Legal Nonlicensed Provider Registration and Acknowledgment (DHS-5192, version 09/17)
- What are the Training Requirements for Legal Nonlicensed Providers? (DHS-6419, version 09/17)
- Minnesota Child Care Assistance Programs – Parent Acknowledgment When Choosing a Legal Nonlicensed Provider (DHS-5367, version 08/17)
- Child Care Provider Responsibilities and Rights (DHS-4079, version 09/17)
- Legally Nonlicensed (LNL) Provider Training Documentation Form (DHS-3769A)

3. Forms updated to address other policy changes

- Child Care Assistance Program Application (DHS-3550, version 08/17)
- Child Care Assistance Program Redetermination Form (DHS-5274, version 08/17)
- Combined Application – Child Care Addendum (DHS-5223D, version 08/17)

4. Obsolete forms and other documents (obsolete as of 09/30/17)

- License Exempt Provider Acknowledgment Form (DHS-3769B)
- Changes in state law that may affect providers registered with the Child Care Assistance Program (DHS-7199)
- Legal Nonlicensed Provider Notification Letter (DHS-3768A)
- License Exempt Provider Notification Letter (DHS-3768B)
- Licensed Family Provider Notification Letter (DHS-3768C)
- Licensed Center Provider Notification Letter (DHS-3768D)

C. Other tools and resources

CCAP policy manual

Updates to [the CCAP policy manual](#) will be made in late September to reflect new policy. DHS will notify CCAP agencies when updates have been made.

“Road to Reauthorization” toolkit

Information related to reauthorization changes will be posted to SIR (System Information Resource) in the [Training Toolkit](#). A SIR login ID is required.

SIR > MEC² > Worker resources

A SIR login ID is required to access these resources.

- [Authorizing child care with a legal nonlicensed provider tool](#)

VI. Legal References

Laws of Minnesota 2017, 1st Special Session, chapter 6, articles 7, 9 and 16

Minnesota Statutes, Chapter 119B

Minnesota Statutes, Chapter 256P

The Child Care Development Block Grant Act of 2014, Public Law Number 113-186.

Federal Child Care and Development Fund, 45 C.F.R. § 98

Americans with Disabilities Act (ADA) Advisory

This information is available in accessible formats for people with disabilities by calling (651) 431-3809 (voice) or by using your preferred relay service. For other information on disability rights and protections, contact the agency’s ADA coordinator.