



# CCDF Reauthorization: Final Rule

## Final Rule

On September 23, 2016, the federal Office of Child Care released final regulations, which implements the bipartisan legislation passed and signed into law in 2014 (“the Child Care and Development Block Grant Act”), and sets higher standards for states receiving federal funds through the Child Care and Development Fund (CCDF) program. Minnesota’s Child Care Assistance Program (CCAP) is funded, in part, by the federal CCDF program.

The final regulations clarify standards impacting licensed child care centers, licensed family child care programs, license exempt centers receiving CCAP funds, and legally non-licensed child care providers receiving CCAP funds, in the following categories: (1) health and safety; (2) consumer choices; (3) equal access; and (4) enhance quality and support the workforce.

## Minnesota’s Implementation of the CCDBG Requirements

Minnesota is already in compliance with a number of the CCDBG requirements. For the outstanding requirements, legislative action is likely necessary to achieve compliance.

Changes were proposed during the 2016 legislative session to the Child Care Assistance Program and to child care licensing requirements. These changes would have largely met the federal requirements set forth in the federal Child Care and Development Block Grant Act. Unfortunately, the proposed changes were not passed.

Minnesota details its plan to come into compliance with the CCDBG requirements within its State CCDF Plan, which is available online, <https://edocs.dhs.state.mn.us/lfsrver/Public/DHS-6636-ENG>.

## Child Care Assistance Program Improvements

Changes proposed to improve family experiences with the Child Care Assistance Program:

- Redeterminations: Determine eligibility every 12 months, instead of every 6 months.
- Continuous Eligibility: Ensure continued assistance for families, including when moving between sub-programs.
- Reporting Requirements: Simplify and reduce reporting requirements.



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- Copayments: Eliminate increases during 12 month redetermination period.
- Maintain Consistent Child Care Arrangements: Keep authorizations consistent throughout the 12 month redetermination period. Continue assistance for three months when work or education activity ends permanently.
- Income Exit Levels: Allow assistance to continue during the redetermination period when income exceeds state exit level (67% State Median Income) but is below federal exit level (85% State Median Income).
- \$1 Million Asset Limit: Require families to certify that assets are less than \$1 Million.
- Homeless Families: Process applications from homeless families within 5 days and prior to receiving verifications. Waive activity requirements for 3 months.
- Provider Policies: Make payments within 21 days
- Maximum Rates: Update maximum rates after each market rate survey.
- Job Search: Allow job search at initial application for a 3 month period.
- Parent choice in child care schedule: Eliminate schedule verification requirements for most families and allow families to choose a child care schedule that works best for them.
- Overpayments: Decrease instances when families are required to pay back assistance.
- Self-employment: Simplify and align self-employment income definition with other programs.

## Health and Safety Requirements

- Annual inspections. Currently inspections for licensed providers occur every two years and no inspections are required for license exempt centers and legally non-licensed providers.
- Expanded background study requirements, to include fingerprint based background studies.
- Enhanced health and safety standards and training requirements, including prevention of infectious diseases; prevention of sudden unexpected infant death; medication administration; prevention and response to allergic reactions; building and physical premise safety; prevention of abusive head trauma; emergency preparedness and response planning; handling of hazardous materials and bio-contaminants; precautions in transporting children; first aid and CPR and reporting child abuse and neglect. Many of these are already addressed in current licensing requirements, and those that are not will need to be added.
- Licensing monitoring and inspection reports, as well as the number of deaths, serious injuries, and instances of substantiated maltreatment, must be made available by electronic means, in a consumer-friendly and easily accessible format. Most of this information is already available on DHS Licensing Information Lookup for child care centers, but not for family child care.
- Requirement for a statewide child care disaster plan for coordination of activities and collaboration among state agencies and others to plan for an emergency or disaster. Licensed



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programs are required to address a man-caused event (such as violence at a child care facility) as part of their emergency preparedness and response planning.

- Qualification and training requirements for licensors in related health and safety requirements, and in all aspects of licensing requirements. These requirements are more specific than what Minnesota law currently requires for licensors.

### New Consumer Education Resources

- The [Parent Aware Website](#) has been expanded to include new information for families with young children. This includes financial assistance programs, medical and health programs, housing assistance, resources on child development and more.
- Along with the new website information, this information will be available in print. Order them through the Minnesota Department of Human Services [eDocs system](#).
  - [Resources for Minnesota Families with Children](#)
  - [Do You Need Help Paying for Child Care?](#)
  - [Child Care Assistance Program \(CCAP\) Provider Guide](#)

### Emergency Preparedness

- Two documents have been developed related to emergency preparedness. The first is a comprehensive Minnesota State Child Care Emergency Plan. This document addresses the roles and responsibilities for coordination, communication and support in the event of a disaster or emergency. The goal of this document is to provide a tool for all parties involved in the care of children and the management of emergencies. There is information on emergency planning and response for families, child care providers, counties, tribes, state agencies and their grantees.
- The second document is a revision of an emergency planning guide for child care providers titled Keeping Kids Safe. This document also includes a template for providers to use to develop an emergency plan, which is a new requirement for all licensed child care programs under the Child Care and Development Fund law.
- Both documents will be available soon on the DHS website

### Training Development

- The Department of Human Services will be releasing new training to meet the new requirements in the law. Each six hour training is developed for a specific audience; licensed child care centers, licensed family child care providers and legal non-licensed providers. It will contain information on all eleven topics that are required as pre-service training.
- There will also be new training available for licensed child care programs to meet ongoing in-service requirements.
- Training will be available at low cost through the Child Care Aware system.



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- To improve the availability and quality of child care for homeless families, we are offering 18 hours of training to child care providers on caring for children and families who have experienced or are currently homeless. This training is available statewide through the Child Care Aware system.