



Minnesota Department of **Human Services**

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**DATE:** November 1, 2014

**TO:** **CHILD CARE CENTERS (DHS RULE 3)**

**RE:** License updates and renewal information for licenses effective January 1, 2015

**A. LICENSE HOLDER REQUIREMENTS FOR LICENSE RENEWAL**

1. **License fee payment required before your 2015 license is printed.** Your license fee payment must be received before we can print your 2015 license. Therefore, please make your payment as soon as possible, but no later than the due date printed on the invoice.

**Temporary Surcharge.** Minnesota Statutes, section 16E.22, subdivision 3, requires state agencies to collect a temporary surcharge of 10 percent (not to exceed \$150) on each business, commercial, professional, or occupational license for development of a statewide electronic licensing system. This surcharge is reflected on line 2 of the license fee invoice. The surcharge for the license will be in effect for up to six years between July 1, 2009, and June 30, 2015.

2. **Programs closing on or before December 31, 2014.** If you plan on closing your program on or before December 31, 2014, please notify your licensor immediately so we can cancel the bill for your 2015 license.
3. **Submitting your license fee payment.** Submit your license fee payment after you have received the invoice for your license. Do not submit your license fee payment without your invoice. We encourage you to pay the bill online at DHS Web Payments by going to <http://payments.dhs.state.mn.us>.
4. **Licensing review.** The annual renewal of your license and payment of your 2015 license fee is independent from the licensing review of your program. You will receive notice from your DHS licensor about the license review prior to your next scheduled review.
5. **Expired license.** If you allow your license to expire because you fail to pay the 2015 license fee, you will need to apply for a new license. You cannot operate under an expired license while your new application is being processed. In addition, you will lose access to NETStudy to submit online background study requests.
6. **Unpaid licensing fees or fines.** If a license holder or controlling individual has an outstanding debt related to a license fee, licensing fine, or settlement agreement for which payment is delinquent, your 2015 license cannot be reissued until the payment is received.
7. **Change of license information.** If you wish to change any information on your license, please contact your licensor immediately so those changes can be approved before we print your 2015 license. If you hold multiple licenses and want the change to apply to each license you must complete a separate Change of License Information form for each license. Also,

the invoice for your license fee will be sent to the billing address you provided to Licensing. If this information is not current, it will delay receipt of your license fee invoice.

8. **Questions regarding the license renewal process.** If you have any questions regarding the license renewal process, please contact the licensor assigned to your program.

## **B. SELECTED HIGHLIGHTS OF 2014 LICENSING LEGISLATION**

The 2014 Minnesota Legislature passed amendments affecting Department of Human Services (DHS) license holders. A summary of those amendments is available in a separate legislative summary memo, [Selected Highlights of 2014 Legislation](#). As a child care center license holder, it is your responsibility to read the summary and to take the action necessary to comply with any new requirements.

The updated 2014 statutes are now available online through the [Office of the Revisor of Statutes](#) website.

## **C. GENERAL INFORMATION, UPDATES, AND RESOURCES**

1. **Online information.** Information is available online at the [DHS Licensing website](#) and is your primary source of information on licensing standards and requirements. As a child care center license holder, it is your responsibility to frequently check for updates, changes, and additions to this information. Below are highlights of the available online information.
2. **Child Care Center licensing laws and rules.** Child care center licensing laws and rules are available to you as follows:
  - a) Online through the Minnesota Office of the Revisor of Statutes.
    - [Minnesota Rules, parts 9503.0005 to 9503.0170](#) – DHS Rule 3
    - [Minnesota Statutes, Chapter 245A](#) – Human Services Licensing Act
    - [Minnesota Statutes, Chapter 245C](#) – Human Services Background Study Act
    - [Minnesota Statutes, Chapter 626.556](#) – Reporting of Maltreatment of Minors Act
  - b) The Minnesota Bookstore publishes a Child Care Center Laws & Rules book that contains DHS Rule 3, the Human Services Licensing Act, the Human Services Background Study Act, and the Reporting of Maltreatment of Minors Act. The book is now available to order, updated with the 2014 legislative amendments. Go to the [Minnesota Bookstore website](#) to order the revised book.
3. **Child care center licensing forms.** The DHS Licensing web site contains a list of [child care center licensing forms](#). The date immediately following each form title in the list reflects the date the form was last updated or revised.

- 4. DHS Licensing Look Up.** Public searches for DHS licensed programs can be done using the DHS [Licensing Look Up](#) online search tool or by reviewing the online DHS [licensed program lists](#).

Since July 1, 2010, the Division of Licensing has posted licensing actions and decisions issued to DHS licensed programs online through Licensing Look Up. The licensing actions and decisions that are available include:

- correction orders;
- orders for conditional license;
- sanctions which include fines, suspensions, and revocations;
- commissioner's response to license holders' requests for reconsideration of correction orders and orders of conditional licenses;
- commissioner's final orders resulting from contested case hearings; and
- settlement agreements.

Documents are posted in accordance with the requirements of the [Minnesota Government Data Practices Act, Minnesota Statutes, section 13.46](#).

New licensing documents are posted daily on DHS Licensing Information Lookup. You can [sign up to receive daily emails](#) with links to newly published documents.

- 5. Upcoming changes to the background study system.** DHS is working on an enhanced background study system. Beginning in January 2015, the changes will be implemented in stages. Information about the [enhanced background study system](#) is posted on the licensing website. Check back periodically for updated information.
- 6. Postsecondary education transcripts.** Under [Minnesota Rules, part 9503.0120](#), child care center license holders are required to maintain documentation in personnel records indicating how each staff person meets the requirements of the staff person's job position and the education and experience requirements specified in parts 9503.0031 to 9503.0034. As the license holder, it is your responsibility to verify that the educational transcripts for staff working in the positions of director [[part 9503.0031](#)], teacher [[part 9503.0032](#)], and assistant teacher [[part 9503.0033](#)] are postsecondary credit. Education is defined under [part 9503.0030, subpart 1, item B](#); experience is defined under [Minnesota Statutes, section 245A.02, subdivision 6b](#). Transcripts issued in CEUs or other non-postsecondary credit *cannot* be counted toward qualification. CEUs and other non-postsecondary training may be used for in-service training only.

**Online learning.** More and more educational programs are offering education through online learning. It is advisable to research any online learning program before enrolling to ensure that the coursework is granted in postsecondary credit. Transcripts issued in CEUs or other non-postsecondary credit *cannot* be counted toward qualification requirements. To help you evaluate an online education program, visit the [Minnesota Office of Higher Education website](#).

- 6. Contacting the Department of Human Services.** Please use these telephone numbers:

- Licensing Division – (651) 431-6500

- Licensing Division's Main Fax – (651) 431-7673
- Maltreatment Intake/CEP/VA Report – (651) 431-6600
- Maltreatment Fax – (651) 431-7601

- 7. Background Studies Division.** The Background Studies area is now a separate division in the Office of the Inspector General. The phone number for the Background Studies Division Call Center is (651) 431-6620.

## **D. HEALTH AND SAFETY TOPICS, ALERTS, AND MALTREATMENT INFORMATION**

Information is available online to help licensed programs meet licensing requirements for ensuring the health and safety of persons served by the program and for reporting incidents and maltreatment.

- 1. Immunization information for child care providers.** For updated immunization information, visit the Minnesota Department of Health (MDH) website at [www.health.state.mn.us/immunize](http://www.health.state.mn.us/immunize). Select “For Child Care Providers” for fact sheets and forms, as well as other materials that may be helpful to you and the parents and guardians of those in your care.

If you have questions about determining the immunization status of children in your center, the immunization law, or completion of this report call the Immunization Program at the Minnesota Department of Health at 651-201-5503 (metro) or 1-800-657-3970 (greater Minnesota), or by email: [health.childcare@state.mn.us](mailto:health.childcare@state.mn.us).

- 2. Ebola virus information.** The Minnesota Department of Health (MDH) has an abundance of [information about Ebola](#) on its website, including fact sheets, frequently asked questions and information for health professionals and a [health advisory poster \(PDF\)](#) that can be posted throughout facilities.

Also as part of the ongoing effort to provide Minnesotans with information about Ebola and related precautions against the disease, MDH has established an Ebola Information Line. The number for the Ebola Information Line is 651-201-3920 or 800-657-3903. The line will be staffed during regular business hours, from 8 a.m. to 4:30 p.m., Monday through Friday. MDH has made arrangements for a translation service to help facilitate calls from those who do not speak English. The purpose of the information line is to provide an easy, reliable source of Ebola information to Minnesota residents.

- 3. Maltreatment information.** General information on [maltreatment investigations](#) and [sample maltreatment reporting policies and procedures](#) are available online from the DHS Licensing web site.
- 4. Online mandated reporter training.** DHS Licensing offers a [Maltreatment of Minors Mandated Reporting](#) course online. The Maltreatment of Minors Mandated Reporting course is designed to introduce mandated reporters to:

- The Reporting of Maltreatment of Minors Act

- An overview of the Minnesota Child Protection System
- Definition of maltreatment
- Who are the mandated reporters

License holders are reminded that they must ensure mandated reporters under their control also receive training on the program's own maltreatment reporting policies and procedures in addition to the online course.

5. **Child care center alert information.** [Alert](#) information is available from our investigations unit highlighting areas where injuries and harm to children could be prevented when precautions are taken.
6. **Updated list of videos on the dangers associated with shaking infants and young children.** [Minnesota Statutes, section 245A.40, subdivision 5, paragraph \(d\)](#) requires all child care center staff persons caring for children under school-age to view a video on the dangers associated with shaking infants and young children as part of orientation and annual in-service training. The videos must be approved by the commissioner of health. The following list identifies the videos that meet this requirement:

- ***Period of PURPLE Crying***  
National Center on Shaken Baby Syndrome  
1433 North 1075 West – Suite 110  
Farmington, UT 84025  
801-447-9360, ext. 106  
<https://secure.dontshake.org/buymaterials/detail.php?id=176&cid=1>
- ***Never Shake: Preventing Shaken Baby Syndrome***  
Children's Trust Fund  
Harry S Truman Office Building, Room 860  
301 West High Street; P.O. Box 1641  
Jefferson City, MO 65102-1641  
573-751-5147 (phone)  
573-751-0254 (fax)  
<http://ctf4kids.org/?s=never+shake>

7. **Outdoor weather.** Medical and early childhood professionals, as well as many others widely agree on the importance of outdoor playtime for children. It is essential for healthy development and provides children with opportunities for self-directed physical activity that promotes health and reduces obesity. Minnesota rules governing child care centers support the importance of outdoor play by requiring child care centers to plan daily outdoor activities. ([Minnesota Rules, part 9503.0045, subpart 1, item I](#)).

Extreme Minnesota weather conditions can present challenges for child care providers as they plan for outdoor play time. Every year we hear about tragic situations in which children are seriously injured or die as a result of exposure to extreme heat and cold.

As winter approaches, we encourage you to educate staff on the dangers of exposing children to these extreme temperatures. Outdoor play information and weather charts are available

from various sources. One useful resource is the [Child Care Weather Watch](#), a guide distributed by the Iowa Department of Public Health, to assist child care providers in understanding weather conditions when planning outdoor activities for children.

- 8. Crib standards.** Every crib provided by a child care center must meet improved federal safety standards. The federal safety standards, which apply to full-size and non-full-size cribs, address many factors related to crib safety. In addition to prohibiting the manufacture or sale of traditional drop-side rail cribs, a crib's mattress support, slats, and hardware are now required to be more durable and manufacturers will have to test to the new more stringent requirements to prove compliance.

Detailed information about the federal crib safety requirements is available on the Consumer Product Safety Commission (CPSC) website:

- Details are published in the [Federal Register](#) dated December 28, 2010, Volume 75, No. 248
- [CPSC Crib Information Center](#)
- [Child Care Provider's Guide to the New Crib Standards](#)

License holders must also maintain documentation that meets federal documentation requirements to show that every full-size and non-full-size crib that is used by or accessible to any child in care is compliant with the federal crib standards under Code of Federal Regulations, title 16, part 1219, for full-size cribs, or Code of Federal Regulations, title 16, part 1220, for non-full-size cribs. Purchase receipts alone are NOT sufficient documentation of compliance. To meet documentation requirements, every crib must have either:

- a) A permanent marking on the crib showing that the date of manufacture was after June 28, 2011; or
- b) Manufacturer documentation of compliance. Manufacturer documentation of compliance for each crib must be one of the following:
  - A registration card showing date of manufacture after June 28, 2011; or
  - Certificate of Compliance (COC), General Conformity Certificate (GCC), or Children's Product Certificate (CPC), if available. All three are synonymous.

**Note:** A crib with one of these certificates may have been manufactured prior to June 28, 2011. If that is the case, the certificate must specify that the crib is certified to comply with 16 CFR 1219 for full-size cribs, or 16 CFR 1220 for non-full-size cribs to be considered compliant with the new standards.

Examples of manufacturer documentation of crib compliance:

- [Certificate of Compliance \(pdf\)](#)
- [Certificate of General Conformity \(pdf\)](#)

Grant money may be available for child care providers to purchase cribs that meet the new federal safety standards. For more information, contact your Child Care Resource and Referral (CCR&R) district office or visit the CCR&R website at <http://www.mnchildcare.org/>.

**E. SELLING YOUR CHILD CARE CENTER**

If you plan to sell your child care center, please note that **a license is not transferable** (see [Minnesota Statutes, section 245A.04, subdivision 7, paragraph \(c\)](#)). The buyer of your center must submit a license application, complete the application process, and receive a license before s/he can begin operating the child care center. The application process typically takes six to nine months to complete. Please plan accordingly.