

Subject Department of Children, Youth, and Families Policy Bill

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Overview

This bill contains the Department of Children, Youth, and Families (DCYF) policy provisions, including provisions that affect DCYF licensed and certified programs and the administration's anti-kickback provisions, which apply to the child care assistance program (CCAP).

Article 1: Child Care Licensing and Certification

This article makes changes to licensing and certification requirements for programs licensed or certified by the Department of Children, Youth, and Families.

Section Description – Article 1: Child Care Licensing and Certification

- 1 Grant of license; license extension.**

Amends § 142B.10, subd. 14. Requires a license holder to pay applicable fees for a license to be reissued after the license expires, and removes the requirement that the license holder apply for a new license. Requires that child foster care license holders apply for a new license after the license expires. Provides that licenses may be issued each calendar year once the provider licensing and reporting hub is operational.
- 2 Documented technical assistance.**

Amends § 142B.171, subd. 2. Removes the prohibition on publishing documented technical assistance that a child care program receives under the weighted risk system on the DCYF website.
- 3 Delegation of authority to agencies.**

Amends § 142B.30, subd. 1. Specifies that a child foster care license issued by a county or private agency may be issued for up to two years, until such time when the provider licensing and reporting hub is implemented, when licenses may be issued each calendar year.

Section Description – Article 1: Child Care Licensing and Certification

- 4 **Child passenger restraint systems; training requirement.**
Amends § 142B.51, subd. 2. Provides that specified licensed programs that serve children under nine years of age, rather than eight years of age, must comply with training requirements for the proper use and installation of child restraint systems in motor vehicles.

Makes the section effective January 1, 2026.
- 5 **Child passenger restraint systems; training requirement.**
Amends § 142B.65, subd. 8. Provides that specified licensed programs that serve children under nine years of age, rather than eight years of age, must comply with training requirements for the proper use and installation of child restraint systems in motor vehicles.

Makes the section effective January 1, 2026.
- 6 **In-service training.**
Amends § 142B.65, subd. 9. Modifies training requirements for substitutes and unsupervised volunteers in child care centers to provide that they must complete at least two hours of training each year.
- 7 **Emergency preparedness.**
Amends § 142B.66, subd. 3. Makes technical changes to requirements regarding when a licensed child care center must review and update the center’s emergency plan.
- 8 **Child passenger restraint systems; training requirement.**
Amends § 142B.70, subd. 7. Provides that specified licensed programs that serve children under nine years of age, rather than eight years of age, must comply with training requirements for the proper use and installation of child restraint systems in motor vehicles.

Makes the section effective January 1, 2026.
- 9 **Training requirements for family and group family child care.**
Amends § 142B.70, subd. 8. Provides that substitutes and adult caregivers who provide care for 500 or fewer hours per year in a family or group family child care setting must complete at least one hour of training each calendar year and specifies requirements for the training.

Section Description – Article 1: Child Care Licensing and Certification

- 10 **Requirement to post conditional certification.**
Adds a subdivision to § 142C.06. Requires that a certified, license-exempt child care center publicly post an order of conditional certification issued by the commissioner and any maltreatment investigation memoranda that accompany the order.
- 11 **Required policies.**
Amends § 142C.11, subd. 8. Adds that a certified, license-exempt child care center must have written policies for behavior guidance and supervision.
- 12 **First aid and cardiopulmonary resuscitation.**
Amends § 142C.12, subd. 1. Specifies requirements for first aid and CPR training required for individuals who have direct contact with a child in a certified, license-exempt child care center.

Makes the section effective January 1, 2026.
- 13 **In-service training.**
Amends § 142C.12, subd. 6. Provides that substitutes in certified, license-exempt child care centers must complete at least two hours of training each year.
- 14 **Seat belt and child passenger restraint system use.**
Amends § 245A.18, subd. 1. Provides that specified licensed programs that transport children under nine years of age, rather than eight years of age, must comply with training requirements for the proper use and installation of child restraint systems in motor vehicles.

Makes the section effective January 1, 2026.

Article 2: Anti-Kickback Policies

This article contains the administration’s anti-kickback policy, which applies to CCAP.

Section Description – Article 2: Anti-Kickback Policies

- 1 **Administrative disqualification of child care providers caring for children receiving child care assistance.**
Amends § 142E.51, subd. 5. Adds receiving or providing a kickback to intentional program violations for purposes of CCAP administrative disqualification.

Section Description – Article 2: Anti-Kickback Policies

2 Prohibited hiring practices.

Amends § 142E.51, subd. 6. Adds paragraph (b), prohibiting CCAP program participants from receiving or providing a kickback or payment in exchange for obtaining or attempting to obtain CCAP benefits for their own financial gain. Specifies conduct that is not prohibited.

Adds paragraph (c), clarifying that an attempt to buy or sell access to a family's child care subsidy benefits to an unauthorized person by an applicant, a participant, or a provider constitutes a kickback, an intentional program violation, and wrongfully obtaining assistance.

3 Wrongfully obtaining assistance.

Amends § 256.98, subd. 1. For child care assistance, adds language prohibiting kickbacks and other prohibited payments, and aiding or abetting the submission of a willfully false claim, to acts that constitute wrongfully obtaining assistance.

4 Grounds for sanctions.

Amends § 256B.064, subd. 1a. For medical assistance, adds language providing that soliciting or receiving any remuneration or paying or offering to pay any remuneration, with or without a criminal conviction, are grounds for sanctions under the program.

5 Legal representation.

Amends § 256B.12. Makes technical changes; adds cross-reference to new human services program crimes statute.

6 Human services programs crimes.

Proposes coding for § 609.542. Adds section establishing human services program crimes.

Subd. 1. Definition. Defines “federal health care program” for purposes of the section.

Subd. 2. Prohibited payments made relating to human services programs.

Creates crime if a person intentionally offers or pays any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly or covertly, in cash or in kind, to another person:

- 1) to induce the other person to apply for, receive, or induce another person to apply for or receive an item or service for which payment may be made in whole or in part under a federal health care program, state behavioral health program, or child care assistance program; or

Section Description – Article 2: Anti-Kickback Policies

- 2) in return for purchasing, leasing, ordering, or arranging for or inducing the purchasing, leasing, or ordering of any good, facility, service, or item for which payment may be made in whole or in part, or which is administered in whole or in part under a federal health care program, state behavioral health program, or child care assistance program.

Subd. 3. Receipt of prohibited payments relating to human services programs.

Creates crime if a person intentionally solicits or receives any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly or covertly, in cash or in kind:

- 1) in return for applying for or receiving a human services benefit, service, or grant for which payment may be made in whole or in part under a federal health care program, state behavioral health program, or child care assistance program; or
- 2) in return for purchasing, leasing, ordering, or arranging for or inducing the purchasing, leasing, or ordering of any good, facility, service, or item for which payment may be made in whole or in part under a federal health care program, state behavioral health program, or child care assistance program.

Subd. 4. Exemptions. Provides exemptions from the new section for payments exempted under the federal anti-kickback statute or other federal health care program exemption. Provides additional exceptions under paragraph (b).

Subd. 5. Sentence. Provides that persons convicted under subdivisions 2 and 3 may be sentenced according to the sentencing guidelines for theft crimes. Defines “value” for sentencing purposes. Specifies that any claims made or rendered in violation of this section are noncompensable and unenforceable.

Subd. 6. Aggregation. Allows the value of money, property, or benefit received by a defendant within a six-month period to be aggregated for charging purposes.

Subd. 7. False claims. Specifies that a violation of this section is also subject to the False Claims Act.

Makes this section effective August 1, 2025.



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