

2009
FAMILY CHILD CARE LICENSING RELATED
LEGISLATIVE CHANGES

(Changes with direct impact for providers)

**Insert into your
Rule Review binder
for easy reference.**

Summary compiled by Anoka County Child Care Licensing
Revised 8/17/09

Subject	Statute	Effective Date	Summary of Change
<u>Child Passenger Restraint</u> (Booster Seats)	169.685 Subd. 5	July 1, 2009	<p>Law now requires every motor vehicle operator, including child care providers, when transporting a child who is under the age of eight <u>or</u> shorter than four feet nine inches, to ensure the child is properly fastened in an approved passenger restraint system. <i>(Previously, this requirement applied only to children under the age of four.)</i></p> <p><i>To further clarify, If a child meets one of the following criteria, they do not require a booster seat:</i></p> <ul style="list-style-type: none"> <i>a. They are 4'9" tall.</i> <i>b. They are 8 years of age</i> <p><i>*Note: Although not required, The Dept. of Public Safety recommends children who are shorter than 4'9", regardless of their age, use a booster seat.</i></p>
<u>Crib & Mattress Requirements and Related Age Requirements</u>	245A.1435 (b)	August 1, 2009	<p>The law concerning crib mattresses and sheet requirements has been clarified. Providers must place infants in a crib <u>directly on a firm mattress with a fitted crib sheet that fits tightly on the mattress and overlaps the mattress so it cannot be dislodged by pulling on the corner of the sheet.</u> <i>(Previously the law simply directed providers to place infants to sleep in a crib with a firm mattress.)</i></p> <p>Requirements concerning parent directives (below), as well as crib mattress and sheet requirements apply to license holders serving infants <u>up to and including 12 months of age.</u> In other words, a child who has reached their 1st birthday (12 months of age), is not required to be slept in a crib and does not require a signed parent directive for alternative sleep positions.</p>
<u>Notification to Licensing:</u> New Requirement to notify licensing when individual returns to the family childcare home after 45 day absence.	245C.04 Subd. 1	August 1, 2009	<p>New language has been added to licensing law requiring license holders to notify the county agency when an employee (household member, substitute caregiver, helper etc.) returns to the family child care program after an absence of 45 or more days or the program begins operation again after being closed/inactive for 45 or more days.</p> <p>After receiving the information, the licensing agency will determine whether an additional background study must be conducted and will notify the license holder of additional background study requirements. No background study fees will be charged for additional checks.</p>

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<p><u>Infant Sleep Practices:</u></p> <p>Parent permission for sleeping infant in a position other than on their back.</p>	<p>245A.1435 (a)</p>	<p>August 1, 2009</p>	<p>Law now requires providers to have parents sign a <u>Parent Directive Form</u> giving their permission for the provider to place their infant to sleep in a position other than on their back. The parent directive must be on a form approved by the Commissioner of the Minnesota Department of Human Services (DHS). DHS is in the final stages of developing an approved form. It will be sent to providers as soon as it is available. Once received, providers will be expected to begin using the form when parents request their infants be slept in alternate sleep positions.</p>
<p><u>Sudden Infant Death Syndrome (SIDS) and Shaken Baby Syndrome (SBS) training:</u></p> <p>Changes and Clarification</p>	<p>245A.50 Subd. 5</p>	<p>August 1, 2009</p>	<p><u>Sudden Infant Death (SIDS) training:</u></p> <ul style="list-style-type: none"> • Must be at least one-half hour in length, address the risk factors involved and must be completed every five years. <i>(Previously, SIDS training was required to be a minimum of 1 hour in length.)</i> • SIDS training is required before staff persons, caregivers and helpers assist in the care of infants. <i>If the program does not serve infants, training is not required.</i> <p><u>Shaken Baby Syndrome (SBS) training:</u></p> <ul style="list-style-type: none"> • Must be at least one-half hour in length, address the risk factors involved and must be completed every five years. <i>(Previously, SBS training was required to be a minimum of 1 hour in length)</i> • SBS training is required for staff persons, caregivers and helpers before they assist in the care of infants <u>and children under school age.</u> <i>(Previous language required training only if caring for infants.)</i> <p><u>Shaken Baby Syndrome Video training:</u></p> <ul style="list-style-type: none"> • SBS video viewing is required for staff persons, caregivers and helpers before they assist in the care of infants <u>and children under school age.</u> <i>(New language clarifies that this requirement applies to all providers who care for children under school age).</i>
<p>Unpaid Fees & Fines</p>	<p>245A.04</p>	<p>August 1, 2009</p>	<p>New language has been added to law that prevents the Department of Human Services (DHS) from issuing or renewing a license if there is an outstanding debt related to a license fee, licensing fine or settlement agreement.</p>