



## Family Child Care Task Force Transcription

January 14, 2020

6:00 pm to 9:00 pm

Bloomington Civic Plaza, 1800 West Old Shakopee Road, Bloomington, MN 55431  
Council Chambers

Sen. Mary Kiffmeyer: Thank you. Let me go ahead and get started, and as others come, we'll just have them step right in. So first thing is just to quickly go around and do introductions. First, I'm Senator Mary Kiffmeyer. Stella, will you go next?

Stella Zimmerman: Sure. I'm Stella SiWan Zimmerman, and I'm the facilitator with my team Jolene and Ashley here as well.

Jolene Roehlkepartain: I'm Jolene Roehlkepartain. I'm with the ACET facilitation team.

Heidi Hagel Braid: Heidi Hagel Braid, First Children's Finance.

Sen. Kiffmeyer: And be sure and bring—slide those microphones up to you. They're very nice, you just got to get them up to you.

Lauryn Schothorst: Lauryn Schothorst with the Minnesota Chamber of Commerce.

Hollee Saville: Hollee Saville, family child care provider, representing Greater Minnesota.

Stephanie Hogenson: Stephanie Hogenson, the Children's Cabinet Appointee.

Ann McCully: Ann McCully with Child Care Aware of Minnesota.

Rep. Lisa Demuth: Representative Lisa Demuth from District 13A.

Lanay Miller: Lanay Miller, Association of Minnesota Family Child Care Licensors from Greater Minnesota.

Cyndi Cunningham: Cyndi Cunningham, family child care provider and representative for MCCPIN State Association.

Liz Harris: Liz Harris, family child care provider, representing the metropolitan area. I'm from Cottage Grove.

Sen. Kiffmeyer: And you can just slide those things towards you, so you don't have to—there you go. They don't bite.

Erin Echternach: Erin Echternach, I'm a parent representative on the Task Force.

Rep. Ami Wazlawik: State Representative Ami Wazlawik, co-chair of the Task Force.

Sen. Kiffmeyer: Great. Stella's just going to quick go over some housekeeping type stuff, and we'll take care of that now.

Stella: Thank you, Senator. We just have a few ground rules that I wanted to go over the five that we established at our first meeting and then also let the public know thank you so much for coming to today's meeting, but we will not be taking public testimony for today. So if you have any additional questions, please e-mail them to us at FCCTF@acetink.com, which is also on the back poster. Just a reminder, this meeting is being recorded. The five ground rules are also written by the door on the poster, but I'm going to go ahead and read them because I think this is really important to have this as a refresher.

Number one, respect everyone's time by starting and ending meeting on time. Agree to the agenda and stick to it. And then number three, stay mentally and physically fit. Number four, listen actively and with an ear to understanding others view. And last, tackle issues, not people.

Sen. Kiffmeyer: Thanks, Stella. Again, I mean, Scott, we went around and—just say your name.

Scott Marquardt: Sure. Scott Marquardt, I represent the Initiative Foundations. I am employed at Southwest Initiative Foundation. Live in Montevideo.

Sen. Kiffmeyer: That's a mouthful, Scott.

Scott: Yeah, thanks.

Sen. Kiffmeyer: And Dan Dorman is here, but he floated out a bit so we'll catch him. Oh, and then on our phone call, JoAnn, you want to speak up?

JoAnn Smith: Sure. This is JoAnn Smith. I'm a parent representative.

Sen. Kiffmeyer: Welcome, JoAnn. And then Samantha?

Stella: She's not on.

Sen. Kiffmeyer: Did she go off?

Stella: No, she's not on.

Sen. Kiffmeyer: Oh, she's not on yet. Okay, Samantha's not on yet. Okay. We'll keep an eye on that, and then when she does come on, we'll recognize her. And if you can, remember to say your name for the sake of folks like JoAnn and Samantha who are on the phone and cannot see. If we can say our name, especially when they're speaking the first time, that's great. So our meeting notes are with your agenda today. So we're going to need to take a vote on the meeting notes. Does anybody have any changes, additions, corrections for the notes at all?

Hollee: Motion to approve the meeting notes as presented.

Sen. Kiffmeyer: Hollee Saville moves the adoption of the minutes. Is there a second?

Heidi: Second.

Sen. Kiffmeyer: Heidi seconds. Heidi Hagel Braid. And then, okay, we're going to have to do roll call votes, correct?

Stella: Thank you.

Sen. Kiffmeyer: All right. Okay, first one is Ann McCully.

Ann: Aye.

Sen. Kiffmeyer: Ariane Bromberg. Cyndi Cunningham.

Cyndi: Aye.

Sen. Kiffmeyer: Dan Dorman.

Dan Dorman: Here.

Sen. Kiffmeyer: Aye. Thank you, Dan. Cindy Yang or Reggie Wagner. Not here yet?

Cyndi: I'm here, but Reggie is [inaudible 00:05:12] she's on the way up.

Sen. Kiffmeyer: She's on her way? Okay, thank you. Erin Echternach.

Erin: Aye.

Sen. Kiffmeyer: Erin Johnson-Balstad.

Participant: Not here.

Sen. Kiffmeyer: Heidi Hagel Braid.

Heidi: Aye.

Sen. Kiffmeyer: Hollee Seville.

Hollee: Aye.

Sen. Kiffmeyer: Okay. JoAnn Smith.

JoAnn: Aye.

Sen. Kiffmeyer: On the—thank you, JoAnn. Julie, is not here yet, right?

Participant: She's coming. She's on her way.

Sen. Kiffmeyer: She's coming? Okay. Kelly Martini.

Kelly: Here.

Sen. Kiffmeyer: Aye. We're voting.

Kelly: Aye.

Sen. Kiffmeyer: Yes, you are here. Kim Leipold.

Kim Leipold: Aye.

Sen. Kiffmeyer: These are on the minutes. Lanay Miller.

Lanay: Aye.

Sen. Kiffmeyer: Lauryn Schothorst.

Lauryn: Aye.

Sen. Kiffmeyer: Liz Harris.

Liz: Aye.

Sen. Kiffmeyer: Marit Woods. Representative Wazlawik.

Rep. Wazlawik: Aye.

Sen. Kiffmeyer: Representative Demuth.

Rep. Demuth: Aye.

Sen. Kiffmeyer: Samantha Chukuske. Not here? Okay. Scott Marquardt.

Scott: Aye.

Sen. Kiffmeyer: Myself says, "Aye." Senator Wiklund. Not here yet. Stephanie Hogenson.

Stephanie: Aye.

Rep. Wazlawik: Okay. And Tiffany Grant. Not here. Okay. The ayes have it. Stella? Okay. The next item on the agenda is needing feedback summary—Representative Wazlawik. All right. I'm just going to do a brief summary of the summary. So the first question, to what extent do you agree with the following statements, majority of folks, 64 percent said agree or strongly agree that the meeting meant expectations. This is feedback from the last meeting. A hundred percent strongly agree or agree. They were given an opportunity to ask questions. Forty-six percent of agenda topics were addressed at the meeting, the 80 percent said they felt their voice was heard, agreed or strongly agreed. Learn something new at the meeting, 50 percent strongly agree, agree.

I am satisfied with the level of progress made at today's meeting, 40 percent agree, and I have a clear picture of my thoughts, that will be 52 percent agree. So got some work to do there. We talked about the issues, so we'll see if feedback is better from this meeting. Some reason why folks disagreed, questions about whether the survey was done or not and why we put so much time into it. Similar feedback from a few people, the agenda was too ambitious for one meeting, it's hard to talk when others were not listening or making comments. It's okay not to learn something new at every meeting. And other comments about wanting to make it farther in the agenda.

What was the most important thing you took away from this meeting, folks have concerns about feeling they're moving backwards instead of forward. Good discussion about questions, a lot of frustration with DHS, but DHS is not the issue. Everything takes longer than we think. Let's see. What if anything was missed at the meeting, want to work on actual legislation, some questions about how much things are going to cost, conversation about program providers quitting, wanting to get through the rest of the agenda, and wanting to have a draft of the survey for next time.

And then what additional information or resources would you like to receive at our next meeting, more information about—more conversation around why people are leaving, time to review next draft of the survey, data from county licensors about corrective orders, correction orders, and a presentation from provider, and that's it.

Sen. Kiffmeyer: Is that summary in their packaging?

Stella: No. The summary is not in the packet, the evaluation feedback. So thank you, Representative Wazlawik. Before we transition to the next duty, which is duty number three on the agenda, duty number three just a reminder is to review existing variance authority, delegate the counties and recommend change as needed. The next item on that piece for duty number three is an update from the co-chairs starting with Senator Kiffmeyer and then Representative Wazlawik. If the two of you could share with us the information you gathered from county attorneys, The Association of Minnesota Family Child Care Licensors and the Minnesota Association of County Social Service Administrators. Senator Kiffmeyer.

Sen. Kiffmeyer: Thank you, Stella. So I worked on this actually for about two months on the variance subject. And so I contacted Bobby Small with the County Attorney Association, and Matt Freeman with the Minnesota—MACSSA, Social Services Administrators. And then Bob Small and I talked yesterday and Matt Freeman, with getting feedback from them in regards to the various issue. And in particular, it had to do with the language that says in statute, actual knowledge and foreseeable language that was very difficult. And so the county attorneys oftentimes have trouble granting variances because of that language.

So my question was back to him then, would they or did he think they would support removing that language and putting in explicit immunity except for neglect, malfeasance, or bad faith? And he'd say both MACSSA—Mr. Small in particular said that he thought the county attorneys would be supportive of both removing some language and then adding the actual positive statement of immunity and then those things. Just to let you know, so with that, I went ahead and I actually did some draft language to take a look at. Did you pass that out? Because I think it'd be helpful for you because it has the current—would you help, Erin, get that around?

So that language about the actual knowledge and the foreseeable and some of that, I thought, "Boy, that is quite a challenge for that." I think if we were just removing the language it'd be one thing, but because we're adding then immunity but also adding guilty of malfeasance in office, neglect of duty or bad faith that's taking one out and putting something else in that is commonly used in statute by the way. So I'm having that language here for you because I sensed last time that we want something, we want to move on things, we want to have something brought to a conclusion, and I really felt that my ability as a senator to talk to folks and go through all that.

And it started actually in November, went through to December, and then I had the conversation yesterday because these folks need time to talk to their folks and go through it all, and so I just went ahead and did this language. And this is a draft for talking about, don't kill the messenger, people. So what we want to do, I mean, if it reads pretty well, I just went to our staff, the nonpartisan staff in the senate that does this work and I told them what I wanted to do and this is his first flush at it. He had some questions and stuff, and I thought especially section one and section two, which has to do with removing some language and putting in the other, as you can see in those first two sections. The third one was using a variance form that DHS or stakeholders or something that I couldn't quite flesh out enough, I just didn't have time to do that.

So that third point, MACSSA would like to be part of that, the county licensors want to be part of it, the providers want to be part of that. I always believe that everybody who touches the issue should be part of the stakeholder group, and that's why we have all of you here. And also that on that form—I can live without the form, with the form, or go with, because by the way, any of you can go work together on a form anytime you want, you don't necessarily have to have legislation. And in current law, DHS is actually required to do a—required to have a form and then to talk about—and you'll see that in that very first section one, there's no language change there, but I just thought it was interesting for you to see what current law said so that you could reference that.

So that is something that I felt would maybe help us. I'm not looking for any votes, I'm not looking for any—I would love to have some feedback, some discussion and comment after Representative Wazlawik may want to also chime in, but that's the report that I have on the activities and what I have before you.

And let me just see. One of the things was always remembering that no matter what we do, that safety is number one. And we want to make sure we always underline that that was always the case. Okay.

Stella: Thank you, Senator. Before Representative Wazlawik gives an update, I just want to make sure that those that are participating by phone will also have access to this document. Would that be something you could e-mail me perhaps, is it possible during break time so that I can get it to you?

Participant: Sure.

Stella: Okay. All right. JoAnn, I think you're the person on the phone that we'll try to get that to you as soon as possible as well.

JoAnn: Thank you.

Stella: Representative Wazlawik.

Rep. Wazlawik: So I actually had a chance to get some information from county licensors on their thoughts on variances, a little bit on their thoughts. So I have a overview, a summary here. A few questions that were asked that folks answered around variances. So more counties approved variances for aging capacity, there's a small number of counties that don't. And then as part of—this is some survey data. As part of the survey, several counties, they did not, but not every county replied so that's something to know as well.

And then, some counties will not issue varies due to capacity, some will not grant even variances. Those seem to be common reasons why people weren't—common variances people weren't granting. And most of grant variances for all age and capacity. How many variances have been approved in a year, ranges from two to ninety. So there's a wide range on variances that counties are approving. Most counties have a written policy or guidelines, some of them on a case by case basis with or without those policies or guidelines. So part of the conversation around having a uniform, having some sort of policy so people are aware of it, and something written down, we've talked about that a little bit.

And then, pre [inaudible 00:17:00] agreement on keeping variances at the county level with licensors and not moving up to DHS from licensors. So that's a little bit of a summary of kind of fits in line with what we've already talked about, but I thought it was a good idea to share a little more detail. So that's what I have from licensors.

Stella: Okay. Before we dive into—you're looking at this bill that was passed around. I just want to make sure that the individuals on the phone have that. So instead of having that conversation per se, I like to open it up for any questions that you have regarding the update from both co-chairs, what they've given you so far, without diving into a specific document until members on the phone have a copy.

Sen. Kiffmeyer: JoAnn, if I could ask you, if I read to you the language change, would that be helpful?

JoAnn: Yes.

Sen. Kiffmeyer: I tried quickly to try and find it, but it will take too much focus.

Hollee: For your information, I—sorry.

Stella: That's okay.

Hollee: Senator Kiffmeyer, this is Hollee Saville here. Would it be possible for—

Sen. Kiffmeyer: Bring your microphone over.

Hollee: Sorry. If she has bringing my phone over? She has internet access, she could access the statute. And then the changes to this are actually really simple, it seems so maybe JoAnn, if you have internet access, you could pull up the current statute right now and it might make it easier to follow along as Senator Kiffmeyer would be reading the changes, would that be possible?

Sen. Kiffmeyer: We'll get to the actual documents again. I just wanted to—

JoAnn: I can pull up the statute.

Participant: She said she can pull up the statute.

Sen. Kiffmeyer: Okay. The statute is 245A.04, subdivision 9. That's actually about the form. So that's least important. I think the one that I would rather you focus on, JoAnn, is 466.03, subdivision 6D. And also 245A.04, section 466.03, subdivision 6D. I'll read the entire language because it's not that long actually. A claim against the municipality based on the failure of a provider to meet the standards needed for a license to operate a daycare facility under chapter 245A for children, unless a municipality had actual knowledge of a failure to meet licensing standards that resulted in a dangerous condition that foreseeably threatened the plaintiff.

So that language, JoAnn from "Unless the municipality had actual knowledge," going into "Foreseeably threatened the plaintiff," that would be stricken. And then it goes on to say, unless the municipality had actual knowledge of a provider's failure to meet the licensing standards that results in a dangerous condition. So it's like two places said a little differently. The new language that I brought forward is an officer or employee of a municipality shall be immune from liability for claim based on the failure of a provider to meet the standards needed for a license to operate a daycare facility under chapter 245A for children unless the officer or employee is found guilty of malfeasance in office, willful neglect of duty, or bad faith.



That is really—the two essential things are that striking the actual knowledge and foreseeable, that little connection there and then replacing it with guilty of malfeasance in office, willful neglect of duty, or bad faith. I hope that—is that helpful, JoAnn?

JoAnn: Yes, that's perfect. Thank you.

Sen. Kiffmeyer: Okay, good.

Stella: Open up for any questions for the co-chairs regarding their update.

Julie Seydel: This is Julie Seydel. I have a question, and it's probably for DHS. Do you have a form already for variances? Because it says variances must be requested by an applicant or a license holder on a form and in the manner prescribed by the commissioner. Is there already a form that you guys have? Is it something that would have to be created?

Sen. Kiffmeyer: Can you pull your microphone closer, Julie?

Reggie: Sure. This is Reggie Wagner and I actually think probably Lanay or Kim could help as well. I know for our directly licensed with our staff, we do, I'm going to turn around. But do you guys have a consistent form that—

Kim: No, we do not. This is Kim. Each county develops their own form system policy.

Reggie: Yeah. I just wanted to clarify.

Kim: For family child care.

Reggie: Yeah, that's what I said, we have ours directly, but I wanted to confirm with them that it can vary from county to county.

Lanay: This is Lanay. I have looked at different counties forms because I wanted to update my own, and I would say 98 percent of the counties are using basically the same form with a little variation in how they set it up, but it's asking the same question.

Sen. Kiffmeyer: Okay. Thank you.

Reggie: Sure. This is Reggie with DHS. One thought, and I was thinking as your earlier comments, Senator Kiffmeyer about you don't need a statute to have a form, people can, it might be worth considering, whether it's in statute or just a recommendation from the task force to develop one, to standardize that form because with some language being removed or adding, it might make sense to build some of that in to the whole variance as a, yeah, we—I mean, it might—it isn't just like, "Oh, we think we need a form, there are some substantive changes going on. A form might be helpful." So I don't know if it needs to be in statute either, but I think thinking about a standard form—

Participant: It doesn't, but sometimes it [inaudible 00:23:19] with those.

Reggie: Well, I can't make them use it if it's not in statute. So that's one of the things we're—

Participant: Yes, exactly.

Sen. Kiffmeyer: The other thing is that, when I had this drafted and I had told the staff person, I want a consultation with county licensors, I did not mean to be exclusive of providers or MACSSA or anybody else. So that's probably one that I thought needed to be flushed out a little bit more if we wanted to go that direction. But what I really don't want to do, well, the form is an important thing. The real meat of this is the actual—the removal of that language and inserting new stuff. I really would like to hear from you if there are any objections or concerns. If the county attorneys are going to support this, I would say that's been our—

Reggie: Thank you. This is Reggie. So just a couple of things. I certainly know that striking the language, I'm referring to the draft, sometimes it's just easier to get everybody referring to the draft, so line 2.19. I know that striking that language has certainly been a position of some smaller county groups, MICA in particular. I think that's consistent with the direction that some county agencies wanted to go, so that part does seem consistent. I would want to look over and think a little bit more about the implications of striking the specific language on 2.23.

There's some reference to—I actually think the reference that's being stricken, 245A.14, subdivision 10 maybe an outdated, cross-referenced, but—because it deals with swimming pools. It deals with swimming pools, so I just want to think through since we had never really looked at that language what striking it would do or mean, so I don't know what I would think about that, I just know that I'd want to understand is there a reason to keep existing language of when a family child care provider does have a swimming pool. So I just want to look at that a little more carefully, have others know that—

Sen. Kiffmeyer: I would say the goal here is for everybody to look at it more carefully, and the purpose of bringing it forward today as some—you have something in front of you, you get to talk about it and do it. The other thing is I forwarded this language onto the County Attorneys Association and also to MACSSA for them to take a look at. And I know the licensors are ready on the Task Force, so you have it and can take a look at that, and DHS can as well. And my hope would be that we get all of that look, we get all that input, and then at the next meeting, we might be able to have something to actually take a load on or conceptually vote on it or something.

So I don't know—I appreciate having those concerns, it's good to hear all that, but I don't want to use up all our time because I think we need to go out from here, they all do, and get back to us and then have a more robust discussion so DHS can do that and everybody can. All right. Let's close that up for now, and—

Stella: Sorry. I think that I heard some questions over here.

Hollee: Holle Saville here. Are we discussing this right now?

Sen. Kiffmeyer: No. As I just said, all this is is for a talking point, a discussion, County Attorneys, MACSSA, the social services administrators, all of you here, DHS, licensors, providers, everybody, have it and you can ruminate on it and do whatever you want to do. But I wanted to get it to you ahead of time so that the next meeting, we could maybe with all of that background, okay? So no, no decision today, this is a talking draft, a working draft, but we're not going to discuss it.

Participant: Yeah. Sorry, Senator Kiffmeyer, I'm trying to understand. I know no decision will be made today, but aren't we going to discuss it so that by the next meeting someone can work through a more final draft?

Sen. Kiffmeyer: Discussion is open right now, yes.

Participant: That means we are having discussions.

Hollee: Hollee Saville again. I'm asking about line 2.14. I'm just curious why October 1 would be the deadline, why can't we just do it July 1? It doesn't take that long to develop a form. As Lanay said, that it's already used in 98 percent of counties. I know I'm in Wright County and we've used the same form since 2005 for the most part. I have a variance for our bearded dragon, so I—

Sen. Kiffmeyer: Okay. When you ask why, that specific question, it's what the staff person's [inaudible 00:28:31] is senator, I'll just throw it October 1 and then have at it, it's up to you.

Hollee: And I would formerly like to request that July 1 be—and if we were making this—

Sen. Kiffmeyer: Next meeting, let's think of—so everybody has a chance to think about it before we make—

Hollee: Okay. Thank you.

Stella: Thank you, Hollee. I'll note that.

Hollee: My other questions, I actually—Reggie didn't say—she had specific concerns, but one of concerns is actually removing that swimming pool language or what that means, and I don't know what it means for licensors, but that's one of the area that I'd be more—

Sen. Kiffmeyer: My mistake. Just to clarify, I accidentally highlighted more than the stricken language. If you look at it, on line 2.21, it is not stricken, a municipality down through daycare home. That was my highlighting mistake. It's just an editing mistake, Hollee. It's not actually stricken in what you have before you, I think. Let me—I'm working off my—

Hollee: So the swimming pool language is not stricken?

Participant: It doesn't appear to be on mine.

Participant: No. Mine either.

Sen. Kiffmeyer: Okay. It's stricken, it has a line through it.

Participant: Unless the municipality carries over into the swimming pool. So the swimming pool itself isn't stricken, but the connective knowledge of providers to meet licensing standards is what is connected to the swimming pool. So that part is stricken, and I would agree with that needs to be reconsidered.

Stella: Thank you very much. And then—

Sen. Kiffmeyer: Just so we're real clear, this is a working draft. Don't take what's on here like this is—

Hollee: Thank you, Senator Kiffmeyer, and I completely understand and respect that. I am not trying to make permanent changes, but in the interest of trying to get things accomplished in a meeting, I'm making these suggestions now. My other question is going to be about the last page, section 3.1 to 3.5. And I know that you had mentioned, obviously again, I would recommend changing it to July 1, and then this thing in here I mentioned involving consulting with licensors and as you mentioned, have staff providers involved. If I'm just being honest here, I don't understand why MACSSA would even need to be involved. They've never been involved with any meetings as long as I've been a provider about legislative changes related to family child care.

And licensors are representing the counties, so it would put a disproportionate amount of county employees on this Task Force no matter how many—if you only had a couple of providers, so I would trust the licensors to make the best decisions since they're the ones who handle the variance form everytime they're submitted. And I don't expect that there's going to be much contention about the variance form, I think it's going to actually be a pretty simple process. But I think that the more cooks you have in the kitchen, that can make it a more complicated process. So my recommendation would be to have a couple of family child care providers and a couple licensors representative of the state, and DHS, have a couple of DHS in place in that. And then they can maybe present that form to the larger group but have that be the working group. That's all I have to say. Thank you.

Sen. Kiffmeyer: Those are very good points made, appreciate that very much, the thoughtfulness of that. Cyndi, if I say your name and calling you, I think you help them to know.

Cyndi: Cyndi Cunningham. Yeah, if we can figure out how to deal with the county attorneys and get them to be doing this and provide that layer of protection for the county licensors, if that's what this accomplishes, absolutely. Interestingly enough, we just got notification that Ramsey County is going to be approving variances again.

Participant: It's a big [inaudible 00:32:41] county.

Cyndi: But I will definitely say [inaudible 00:32:47] because all we are getting, and I pushed, of course you have, Cyndi, to get answers on what's the criteria, what's the status, what's the process, was anything—and since last Thursday, I can't get an answer, and my licenser doesn't even know anything, it hasn't been talked. So we need good support for providers and some really solid things to hold on to, so there's real clarity for consistency. But yeah, if the rest of that mumbo jumbo change works for those other things, I'll go for that.

Sen. Kiffmeyer: Thanks, Cyndi. That's a really good comment. Just to let you know, the county attorneys have this, so they're going to be digging into it.

Kim: This is Kim. I want to agree with Hollee regarding MACSSA. At my county, we just had a staff meeting last week and my representative from MACSSA had no idea that licensers and providers didn't want variances to go back to the state. So I don't think they have their finger on the pulse of what is actually happening. So I don't—if this language changes and we are no longer liable, I just would like to remove MACSSA from the equation. We don't go to them—I mean, we answer to our own supervisors in DHS, we don't have—I don't mean to be rude, but we don't have anything to do with MACSSA. They don't govern us, they don't—you know what I mean? And I think again, it's an added layer.

Sen. Kiffmeyer: Thank you very much, Kim. And just to mention that MACSSA had a position and that's why the conversation with MACSSA is their position paper that they had was to move it to DHS. And that was a little bit of the genesis of how that became a part of this conversation.

Stella: And I also have a comment over there, a lot of comments there to the right, Erin? Sorry.

Erin: Yes, this is Erin. So just in layman terms, MACSSA is?

Sen. Kiffmeyer: Minnesota Association of County Social Services Administrators.

Erin: Okay. Thank you.

Sen. Kiffmeyer: I know it took me quite a while—

Erin: Just for clarification. Thank you.

Kim: Yes. And those are—this is Kim again. And that just proves the point that the people around the table don't know who MACSSA is.

Sen. Kiffmeyer: So Kim, they are basically, the governing body of the directors, the high level overseeing all the—

Kim: The human services.

Sen. Kiffmeyer: No, but they—right. So I'm just saying, they are the pretty high level of leadership around the human services at the county level that report up to the board of commissioners. So when they've taken this formal position that goes in a very different way, I think that's why it would make sense to make sure they know this is a direction that is being looked at.

Kim: I would agree. I would say though that when you have a form being developed, I don't know that's the best use of social service administrators' time to be engaged in a form when they have licensors who are probably more directly knowledgeable with DHS.

Participant: If you just put your hand up, I can't always catch—

Ann: Yeah. This is Ann. I'm not as familiar with which language to know, I'm just making sure that we don't—using these words, you say the county attorneys have some malfeasance, willful neglect, I'm just being sure that we don't start a whole new chapter of things that then people get squeamish about liability over. I assume these are terms that they accept or it's strong enough that it makes it a little easier to think about variances, et cetera.

Sen. Kiffmeyer: Yes. We'll get more feedback from them, but yes, this is common language for government entities that you are not personally liable unless those three criteria. And that is—that's why I said that's really odd that that would be there because that's not the usual kind of language. Who knows when those things are put into law, what the circumstances are. I mean, that happens all the time. Thanks, Ann, for asking the question.

Stella: This is Stella. So the next part on the agenda is the—

Sen. Kiffmeyer: So we could ask JoAnn on the phone. JoAnn, do you have any comments on this? Okay. All right. So I wanted to keep us going because you all will have more discussion and we'll come back next month and hopefully actually get something done. And I want to encourage every one of you to come back next month in writing or thoughtful or talk to others, whatever you want to do to go through this. The other thing is that we have—do you have that? Do you have that in the packet?

Stella: Yes.

Sen. Kiffmeyer: Okay. In the packet there's this sheet that's titled variance on the top. And DHS—I'll wait until you all get it in front of you before I move ahead. Are you all ready? So this is grouped by—this was done a couple months ago actually, and it just takes legislative actions that could be task force recommendations. And we'll just take it from the top, address the liability issues. And I don't know if you remember, we did actually talk about this and the genesis for even going through and discovering that this liability was such a big issue was true, this kind of a discussion which led to where we are at today.

Now, here it says commission a study. I think we're beyond that, okay? We're making more progress. Change liability for counties and individual licenser. So I would say on that liability issue we're making some good progress. Anybody disagree with that? I mean, we're not done, but we have a plan. Okay. Structural changes, move approval of all variances to DHS. I think we had a discussion about that and was fairly strong around the table to not do that. I think that's our whole conversation so far. It's been in that direction. Allow for an appeals process for denied variances within the county or to DHS. In order to—is that DHS would require funding.

Do you want an appeals—I mean, just think about the extent at this year. Do you want an appeals process or do you want it that when the county does the variance and they say yes or no, that's the end of it, or do you want an appeals process within the county? Anybody have a thought there?

Lanay: This is Lanay, and I would say no appeals process.

Sen. Kiffmeyer: Just issue the variance—

Lanay: [inaudible 00:39:30] and that's it.

Sen. Kiffmeyer: Anybody else?

Erin: This is Erin. Just to clarify, there is nothing within any of the counties right now for any appeals process? That it's not even an option?

Kim: This is Kim. That's correct.

Sen. Kiffmeyer: Thanks, Erin. Good question.

Hollee: Hollee Saville here. I can say from experience that you can, as a provider, you can continue pushing and requesting a variance every year from your child's fifth birthday until their eleventh birthday until they finally say yes. I mean, there is a way to do it, but I think to make it more cumbersome, I think as long as the criteria were pretty clear and the licenser was basing their decision based on the criteria and nothing else, then I wouldn't see any room to argue. However, if a provider argues that the criteria wasn't being followed, then what do you do with that?

Reggie: This is Reggie. Just a point of reference for what we call our directly license, our child care centers, our residential programs that we license. They also—we have that variance authority and statute. And to vary the rule, we don't have any formal appeal process for those. And generally, what we find is that the request for a variance is usually done in dialogue with the licenser. It's very provider specific, it's tailored directly to them. So hopefully, if people agree it can happen, it's a question of the terms. And then I guess like you were saying Hollee, how to just ensure that there is that consistency or some protocol being followed. But we don't have any kind of an appeal process for other ones either, so I just want to add that.

Sen. Kiffmeyer: That's good input to have. Cyndi.

Cyndi: Cyndi Cunningham. And I don't mean to sound like a broken record, but absolutely, if there's an organized structured way for approval, right now the way it's previously been done, I'm going to—Ramsey County, sorry people, is that—and why it is now is my licenser might agree with me, my licenser may support me, but it goes back to the licensing unit, and those who don't know me and don't understand my setting and whatever are making joint decisions about that. And that would be the reasoning for some really clear criteria, so that gets put into that point.

Sen. Kiffmeyer: Thanks, Cyndi, I appreciate that. I'm beginning to think I was really 50-50 on the form language, but I'm—you're convincing me. B3, allow for emergency variances which can be granted by e-mail. What do you folks think about that one?

Kim: This is Kim. And I would like to say no because they're violating capacity rules and laws. They're already committing a violation, and I think that would be a reward for that. I mean, we wouldn't let a baby sleep in unsafe sleep—give them a variance for that because they already did it.

Sen. Kiffmeyer: Input from others? Hollee?

Hollie: The only time—sorry, Hollee Saville here. The only time they—I don't think I necessarily support the emergency variances. The only time I could ever see it being needed is—like on snow days, if you need—your families don't have someone else and a bunch of kids are out. And then, that would be a time when you can't fill up the form and wait the whole process. But I would not want a—I would only want a variance for the capacity seeing—that would be like a onetime deal. But when it comes to, "Oh, I have two infants but I'm only allowed to have one." It's not like that baby was born and the next day they want to enroll in your care. They probably contacted you with plenty of time.

So except for a snow day thing, and I—I mean, I wouldn't hold out on that for needing an emergency variance necessarily, but that would be the only time I can think of where I personally would support it because I still care about the health and safety of the children.

Stella: Thank you, Holly. Senator Kiffmeyer, if it's possible, so that we're on time in terms of the agenda, if we could have you just give an overview of the rest of this variance, structural recommendations so that we can do an activity so that everybody can contribute and then Jolene will introduce the activity. So if you could do that for us, that would be great.

Sen. Kiffmeyer: Okay. So great discussion, everybody. The next one is collect data about existing process. How did you report to DHS, the variances are requested, what for, and if approved, denied. It's that a worthwhile extra activity? Counties provide copies of approved variances to DHS. They want to do that. Counties reporting criteria, policies for granting variances. If data's reported to DHS, require DHS to



include this information in a report to the legislature. That's a lot of collecting data and doing stuff, so we are going to have an activity so you can have another way of having a conversation about this.

Next one is require counties to implement formal process and increase communication. Require counties to develop criteria, circumstances, process, require them to use uniform criteria developed collaboratively by counties and DHS. Require counties to post criteria, policies on their website. Require counties to distribute criteria and policies to license holders. Next one. The last one is provide education, encouragement, and support to counties surrounding variances. DHS to communicate with county attorneys, county boards. DHS collaborate with counties to develop guidance for licensors, DHS collaborate with counties to develop best practice, DHS provide training on variances for licensors and engage a non-government entity to create tools or resource.

These are all potential topics. It's just not being necessarily even proposed. Someone very graciously just put together a list for discussion purposes, and appreciate that. Is that sufficient? Do you want to move on?

Stella: Yes. Thank you so much, Senator. That was very helpful. So what I'm going to do is turn this over to Jolene. You guys all have stickers in front of you. And then for JoAnn, you're participating on the phone. After Jolene gives the next steps for this, she's going to connect with you in terms of how to proceed so that your voice and feedback is also reflected. So I'm going to turn this over to Jolene. This is Stella.

Jolene: Hi, this is Jolene. So we'll take out this sheet here, the one with all the variances, the 18 items. And then also, your three sheets of stickers, you have red, yellow, and green. Across the back here, you're going to see that there is flip chart paper A, B, C—D is over on that wall, we can't see it very well over there, it is there. And then E is over here. So there is a space for every single one of these variances. And so what I'd like you to do is I would like you to vote once per variance of what you think. If this should be a recommendation from the Task Force, place a green circle if it's say yes, a go. A yellow circle if you're maybe, not sure. Red, absolutely not. And then, vote for each one of these 18 variances along the wall here. Anybody have any questions?

Stella: This is Stella. This is interactive, so as you're placing your sticker, we're going to take some time to reflect. And then when you're ready, you would go up there and then put your sticker. Because of the interactive nature of something like that, there can also be the small group discussion within each of those content areas, just getting folks to get up from the table, and then be able to engage with each other in that context. Okay. So does that make sense? Any questions?

Sen. Kiffmeyer: How much time do we have? It's now 6:50, right?

Stella: Fifteen minutes. So fifteen minutes to finish the activity.

Sen. Kiffmeyer: Thank you. Okay. It's time to get together again. And so Stella has gone around to the sheets where you put your circles of green, and red, and yellow and get some tallying for us. And so we're going to hear from Stella on the results of that grouping. Ready, Stella?

Stella: Yeah. This is Stella. So what—I'm going to go ahead and go up to the board to tally and I'll try to project as much as I can in terms of my voice, JoAnn so that you could hear as well. I won't be on the microphone. But I wanted to—oh, good. It's still being tallied. So in terms of—

Sen. Kiffmeyer: Do you want to go tally and let Jolene do this, so to keep moving?

Stella: Yeah. Jolene could you—this is Stella again. Jolene, could you go ahead and do that activity so I can go and finish tallying?

Sen. Kiffmeyer: So this is going to take about five minutes, an activity that Jolene has.

Jolene: Yeah. So this is Jolene from ACET. I've handed out my wishes, Happy New Year, Happy New Decade. I wanted to give you a couple minutes to write down your—so put your name on this because we would like to collect these because then we would like to have this information for everybody on the Task Force. But I'd like you to identify what is your one wish for Minnesota's children and what is your one wish for a Minnesota family child care providers?

Hollee: Putting information. Hollee Saville here.

Jolene: What?

Hollee: Hollee Saville here. Sorry. I'm just curious, and I'm going to sound like such a negative person, but—well, first of all, we did this at the first Task Force meeting. We talked about what we want for this committee. I know I'm going to sound like I don't like children or anything, but I don't care. Can we—I just think that these Task Force meetings, we are together for such a short period of time and every time we do these activities, well, I appreciate everyone's time in the Task Force and appreciate getting to know them at the same time. I think all of us here want to get stuff done, that's why we're on this task force, that's why taxpayers are spending their money, paying us to be here. So I would rather forego these types of activities and get down to the reason that we're on this task force, especially since this question—we already talked about this first meeting, each person is. Thank you.

Julie: This is Julie, and I'd like to add something to that. I brought with me seven bills that were introduced last year for family child care, positive changes that didn't get passed. None of them have to do with health and safety, but we'll give great relief to family child care providers. I'd rather spend five to ten minutes talking about this than doing this. And I don't mean to be rude, but we have got to get something done. We've got the legislative session coming up. Next month, we have to vote on our report to the legislature and we're not going to have anything done. We're not moving forward. I would rather spend my time

discussing all of this. I have all of the paperwork, I have this copy for everybody, and I have a copy of every single bill that we already have drafted, ready to go to hit the floor.

Sen. Kiffmeyer: Okay. What's the wish of the Task Force here? Would you like to go on and work with Julie's suggestion, or do you want to—what would you like to do? You're the Task Force.

Stella: And I still need a few minutes to just tally, so—

Sen. Kiffmeyer: Sure. You go ahead.

Reggie: Senator Kiffmeyer—I am Reggie. I would just like to respond by saying, I think there's two separate things that I heard. One is about an exercise or activity. The other is talking about specific bills that she's brought forward. I am not certain that that fits with our scope and agenda and all, so I'm just not certain how that becomes a piece of it, right? I guess I'm saying, if people want to talk about—excuse me, I had a cookie, about an activity that's one thing, but I would ask us to consider how other things get added to an agenda that maybe weren't in scope or people weren't prepared for how we bring new issues up.

Sen. Kiffmeyer: I would say, first of all, we need to do what's on the agenda, first of all. If something different goes on, we can add it at the end, that's always an option for us. But first and foremost, we have the survey to get to yet and to finish this activity. Are you done tallying Stella?

Stella: No.

Julie: This is Julie again. We do have on agenda, motion to include selected recommendations in the draft interim report to the legislature. And I think that what I have here would definitely fall in into that because these should be part of our recommendation if this is something we want to move forward on.

Rep. Wazlawik: This is Ami. I think we need to—before we make a motion on any of those bills, we need to see bill language.

Julie: I have it all right here.

Rep. Wazlawik: Do you have copies for everyone?

Julie: I have copies for everybody.

Rep. Wazlawik: So I think we can certainly consider that, but I don't think we're going to have enough time to thoroughly digest all of that and vote on things you brought.

Sen. Kiffmeyer: Are you asking for a vote?

Julie: No. I'm not asking for a vote, I'm asking that everybody can get that information, we can take a look at it and then our February meeting is the time

that we could possibly take a vote at that time, but we just need to get moving forward on doing something. If we come to the legislature and child care providers hear that we haven't done anything, it's going to be pretty detrimental. It's not going to be good.

Rep. Wazlawik: Sure. And I think that's fine if we want to start the discussion on that, but certainly we'll need more time going into February meetings to fully get that one.

Ann: This is Ann. I think we would need other people weighing in on—I mean, there's something—yeah, consider with legislation, so I don't want to try to—

Sen. Kiffmeyer: To be clear, I don't think—I just want to be clear when I'm putting some forward for discussion, same thing, same thing with this, but in order we've got to appreciate each other, we have other conversations yet where people have done some work, brought something in writing, copies for everybody because it just helps to facilitate going forward. But Hollee, I think we should set aside that because I think we should do the agenda first and tallies from Stella and then we have surveys. And we are doing well, 7:22, 7:23. If we can kind a move through some of these things, I think we can probably at least get to 10 minutes of hand them out, explain what they are, let everybody mull them over like other things between now and the next meeting.

Hollee Saville: So Hollee Saville here. So do I need to make a motion?

Participant: The agenda has not been approved per se, by the committee. I don't think that's something we have to do each meeting, but do I just make a motion to skip the member activity? Would that be how I would feel about it or—

Sen. Kiffmeyer: You're certainly free to do so. I make a motion to skip the 10 minute member activity.

Ann: I think we spent 10 minutes, this is Ann, already, so—

Participant: That's what I just said. We just spent 10 minutes talking about that.

Participant: I'm trying to make it simple.

Stella: Seconded?

Sen. Kiffmeyer: Lauryn did.

Stella: Lauryn second?

Sen. Kiffmeyer: Okay. Can we do a verbal consensus to skip the activity and move on to the other work that we have on the agenda?

Hollee: Do we need to do a roll call vote or can we just raise hands? Sorry, Hollee here.

Participant: Could we do a discussion?

Sen. Kiffmeyer: Sure.

Cyndi: I'm just going to comment that on these that aren't interactive, I can go along with that. I think some of the ones are interactive, because we're going to be with each other for a year and a half, is kept to shorten, close. I do think given all the walks and everybody's come from and just trying to talk about and understand each other's views because of where we all come from, I think some of them that pulls that information together are good to have. [inaudible 00:56:47].

Sen. Kiffmeyer: That's really good, Cyndi. I would say though that when we've had these discussions like we've had tonight, we're getting to know each other by hearing your perspective on that. So I think we're actually doing quite well.

Stella: This is Stella. Any other feedback on the member activity so that we know also moving forward, too, in terms of whether we should continue putting this on the agenda? I think Hollee and Julie, you two have raised a point that whether this should continue to move forward on the agenda.

Sen. Kiffmeyer: Okay. So all those in favor of Hollee's motion to skip the member activity, please say aye.

Participant: Aye.

Participant: Aye.

Participant: Aye.

Sen. Kiffmeyer: Opposed? Motion prevails. All right. We'll skip it for tonight. Okay. All right. So the next one, Stella, you have the—and folks, if you have your variance sheet and then you can write on it as we go, right, Stella, you're following?

Stella: Great. Thank you, Senator Kiffmeyer. So in terms of the items where we have basically the highest green—apologies, I'm looking at this very, very quickly [inaudible 00:58:12] again. So I have it looks like for D3, so folks can—

Participant: Can we start with A? Are we going to—

Stella: I'm going to go from high to low. The reason why I say that is because it looks like there's consensus on certain key items, so if we move that way we could flow through this a little bit more efficiently for that stuff. So D3, so if folks have a highlighter by chance or a different color marker that's different from what you wrote, that would be great, or at least some side note, you can circle D3, meaning, D for David, I don't know. Okay, D3 at 20 in terms of yellow 0, red, 0. So I see consensus there for D3. And D4, which is require counties to distribute criteria policies, the license holder, again, bold 20 for that. And then, no yellow, no red.

Sen. Kiffmeyer: So there's 20 green for D3, 20 green for D4.

Stella: Correct. Okay. So the next item where we have high consensus, and I'm going to ask the individual if there's individuals that had read, if you could share what that that is. But the next one with the highest consensus is A2. If you can circle A2, which is change liability for counties, individual licensors, we had 19 green and 1 yellow, 0 red. So that item can also be a recommendation in the interim report. We're going to—

Sen. Kiffmeyer: You can tell where is that yellow.

Stella: So we have now three items that could go as potential recommendation in the interim report that is due coming up in a month. Okay.

Sen. Kiffmeyer: So you did A2, what's the next one?

Stella: So the next one, I'm—let's see, the next one looks like it is—okay. E, Edward, three.

Participant: Can I have a joke in here? Bingo.

Participant: Except there's no E in bingo.

Stella: All right. E3. DHS collaborate with counties, develop best practice for counties and licensors on the circumstance under which variances are or are not appropriate. So we have 17 green and then 2 yellows, 0 red. So that one's a really high candidate as well for item E3, okay? And then the next one also a high candidate is D1, David 1, with 16 green and 4 yellows, again, zero red. We're going to get the reds pretty soon. So please prepare to share if there's a specific reason why you rated that item in red. Next one. Thank you. Next one with the highest consensus is these two with green, 16 yellow, 3, 1 red. So I'm going to open it up for if there's a thrown feedback on that being red, it'd be good to have the group here.

Participant: You brave one.

Sen. Kiffmeyer: Is there a reason for that one red? Sometimes you put a red sticker on and you don't feel real strongly, but you put a red.

Rep. Wazlawik: This is Ami. I think the red might've been me. I was talking about counties if counties were okay with the uniform or if there was any reason why they wouldn't want uniform. So for me, it was not really a no, it's just I don't know enough to say yes, I guess, that was why I put a red on.

Stella: Representative Wazlawik, how do you feel it being that we have the 16 yes and then—

Rep. Wazlawik: I think it's time to move forward with it. Okay. So next item is now D2 as part of the interim report. You guys are going to be voting for this next one. Senator Kiffmeyer does the next part.

Stephanie: So I just have the question about—this is Stephanie Hogenson, Children's Cabinet. Just clarity on language, when we say uniform criteria in policy, that means all counties would have the same policy and criteria, correct? Is that my understanding? Is my understanding correct?

Stella: I'm going to defer to the DHS or co-chairs or any other members that could address that.

Sen. Kiffmeyer: I'm just going to speak to this. I have the same question about this one in particular because there were four of them that were similar. And this D2 require them to use uniform criteria. I don't know if we've decided yet because of our previous discussion about a uniform variance application. So I would be—I don't recall what I did, but I don't know that I would be opposed to it, but I would share Representative Wazlawik's concern. Maybe next month I might, after further discussion, might be ready to do that, but do we want to—that's all.

Kim: This is Kim. As a licensor, I think there are—I don't have a concern either way. Hollee just asked me. I think there are different needs. As Erin and I were talking about, there are different needs in different parts of the state, so making it uniform for the metro or something and then different parts of the state. Uniform could mean it's tailored to that county and that area. Uniform could mean, it could be up north or smaller communities or whatever. I don't—I mean, again, we all know, I hate the word, but we are striving for some consistency. That being said, every home, every situation, every child care is different. Lanay? Where's Lanay? Okay.

Lanay: I have one thought about this. I agree with Kim that there's differences in different parts of the state and we need to keep that in mind. I also have—I have guidelines that I follow when I look at variances, and one of the points on my guidelines is that I don't want to grant variances to somebody in their first year, but do I? Yeah, because there's a need. And I just license the provider who's got a degree in early childhood and all kinds of experience, and I think she can handle it versus somebody who just had a baby and decided they wanted to stay home and they have no education. Maybe they wouldn't get a variance in their first year. So I think we need to allow for some of that and not be so strict.

Holley: Hollee here.

Sen. Kiffmeyer: Yes, Hollee.

Holley: Oh, sorry. Uniform doesn't have to mean super specific either. I would suggest not having super detailed or very limiting criteria for licensors that exceed—so there's some wiggle room for situations like that where things like it has to be based on their experience level whether it's in a family child care, other similar

thing or something like that, so that's super limiting and defeats the purpose of this whole thing is to be able to grant more variances.

Erin: Right. And this is Erin. And I think when Kim and I were talking, I appreciated that you do like having that standard that you're striving for, but you still have that flexibility within your county to be able to do what's right within your county. So I think that's where having a guideline, I guess, is what you were [inaudible 01:06:16] at, Lanay. That's maybe what I would defer to you.

Sen. Kiffmeyer: Any suggestions on this D2? Would there be modifications to this one, like require counties to develop guidelines collaboratively?

Rep. Wazlawik: So this is Ami. I just have a question. What would be the difference between guidelines and criteria?

Kim: I think the—this is Kim, I'm sorry. I think the issue is that it says uniform. I don't think guidelines or criteria, that word isn't the issue, I think uniform is where there's a little bit of a trip up.

Sen. Kiffmeyer: What other words could we use than uniform?

Kim: Just take it out.

Sen. Kiffmeyer: I couldn't hear you, what?

Participant: Just take it out.

Sen. Kiffmeyer: Just take it out? So it would require counties to use criteria, just strike uniform there?

Participant: So my struggle with this was, so all 87 counties would have to develop their own individual criteria is what we're saying. Or when I read uniform I was wondering, does this mean across the state, 87 counties would have to have one policy and criteria on variances. So those are my two interpretations of this language that I think are two very different things.

Sen. Kiffmeyer: If we're having this much discussion over this line, that means we don't have a clear enough understanding of what it means to even act on it, I think, nor recommend to the legislature to act on it. But it could be is the idea there, but the wording isn't quite what we want. Or are these two separate things? One of the things I'm thinking of is that we develop a uniform variance application form, which would by nature, then have criteria or maybe other things with it. Would that accomplish some of what you're—the goal of what you're trying to get at, which is consistency and greater uniformity, but you still got to have flexibility. Scott?

Scott: This is Scott. When I voted on D2, it was my understanding that the person in Pipestone County or the person in Ramsey County would have basically the same binder. If that was the intent of D2, that's how I voted. If that wasn't the



intent of the author for D2, then I would love to have some conversation because to your point, what's going on in Jasper versus Downtown Minneapolis might be very different. Although, I realize we can't have a free for all, I read this as the intent is that no matter where you are, the playbook will be 99 percent of the same. And if that's not, how I should have voted then, we'd love to clarify that.

Sen. Kiffmeyer: I'm seeing a lot of nodding of heads here. Heidi?

Heidi: This is Heidi. I also agree with Scott, and I really focused on the words, collaboratively by counties and DHS, meaning that they are collaborating to have something that is uniform across it so that you are getting consistency. So if that's different, I want to change my vote as well.

Sen. Kiffmeyer: I'm just wondering whether this line, the way it's written, if we said develop collaborative counties and DHS, develop collaboratively a uniform criteria and policy, does that do anything if you reverse it? I'm just throwing out ideas for discussion.

Participant: Or you can say required to recommend.

Stella: And I also want to—I know Reggie had also raised her hand for this, too. I just want to be respectful for who's next.

Sen. Kiffmeyer: Reggie?

Reggie: Thank you, this is Reggie. The only thing I just wanted to maybe clarify since we worked on developing this is actually, D1 and D2 are almost like one or the other. D1 is—and I know we're not focusing on it, just so you know, as recommendations go forward, D1 is basically require each county, though different for each county, but requires all counties to develop their criteria for approving, right? Each county's got to have something. Even if it varies from county to county, you got to have something that you can point to and say we have these standards. And then D2 is a different approach. D2 is no, have something that looks more uniform or consistent or standard. So I think as you look at these, it's not probably likely that both would go forward because they are doing different things.

Sen. Kiffmeyer: Great input. Great input, Reggie.

Reggie: The other thing that I'm going to be thinking a lot about as we look at D2 is I've heard of flexibility, absolutely. The other part that we always want to be careful about is we try to standardize things is what's called unpromulgated rulemaking. If you get too prescriptive, too detailed, then you have to figure out if this applies to everybody. So I'm not saying that we're there, I'm just saying as we look at the language, we would just want to—and I know people are struggling, is it a guideline, is it a criteria, is it uniform, is it standardizing? So that's just another lens to how it's written.

Sen. Kiffmeyer: I would suggest that that is really, really important, one or two, D1 or D2. And if we're not ready to actually make a recommendation yet, it might be good to just set it aside.

Kim: This is Kim. Set aside D2?

Sen. Kiffmeyer: Set aside D2?

Kim: I'm asking.

Participant: D1 already has this—so far, until you guys vote.

Reggie: I mean, I think people should be looking at the two different approaches. D1 is one approach, D2 is a different approach. I mean, I almost think that's part of what the group should look at is which route do we want to go? Every county, you'd almost be saying you might have some variation among the counties, but at least every county has a clear process, it's clear what it is, what the grant variance is for. So I'm just saying maybe the decision, is it a D1 or is it a D2? And then when you decide, then it's more about how does it do what the group wants for consistency, transparency?

Sen. Kiffmeyer: So who would like to do on a—somebody got a hand up, I can see.

Ann: I did. Sorry, this is Ann. It seems to me—the only thing I was sitting here thinking based on what Lanay said is that they're somewhere in between. So there are certain things that are uniform and then there's flexibility to be able to make decisions that are based on regional differences. I don't know, there might be somewhere in between a one and a two or something a little bit further. I mean, I like one, since there's nothing that exists now, it sounds like, if that's consistent, but it might be interesting to look and see how much closer consistently we could get without hampering.

Rep. Wazlawik: This is Ami. I'm thinking in my head just right now, conversations and things where it could be like counties can grant variances for age or capacity, that could be a thing, right? That could be one of those uniform things. But then specifics could be something that's more based on a county or a region or something, that's what popped in my head.

Participant: D1.5.

Participant: Very good [inaudible 01:13:24].

Reggie: This is Reggie. This goes slightly different but again, I'm remembering some—we had some really good conversation that day, and what I heard was a lot of really concrete things from the two licensors, and I heard a lot of people acknowledging, you licensors, I mean, we know that, right? You are the ones that are giving these variances now and understand a lot better than DHS does, because we don't have a role in it. So I'm not saying that it could be. One option is, is it more of like—have a work group that convenes to really look at

something. I mean, that was one of the earlier ones is there's some really innovative things, there's creative things, counties have managed that risk, so I don't know.

I mean, I don't want to make it seem like it's being sent to committee, but some are really easy to give variances on, right? We were part of the conversations definitely. Some, like, get out of the way, those are so simple, nobody questions it. The others are a little bit more challenging, and they start to go to age distribution. It's more—maybe something structural. So I'm just saying, this is what's really hard is nobody wants to stop the easy ones because that's not where the pain points are.

Kim: This is Kim. And I think that's a really good clarification point. I just said that to Julie when Erin and I were talking. I mean, because as I brought up before, Dakota County does not do variances for capacity and age at all. We do them for sugar gliders, we do them for a calf that's too old to get vaccinated and is never around the children. So I think moving forward though, too, to agree with Reggie, we have to be careful of the language because this could get messy with those types of variances as well. My thought is, we are just talking about age and capacity variances here, and that's my understanding, but I don't think that's everybody's understanding. So I think that might be our first point is to clarify age and capacity.

Participant: Well, good thing we keep letting you talk, Kim.

Participant: No. But that's really important if that was your lens on how you were entering into this, because I probably wasn't. I was viewing everything.

Sen. Kiffmeyer: Here's what my idea is. So let's set aside D1 and 2, let it just set aside for a little bit. Let's move on to some others, and when we're at the end, we'll come back to it again and see if anything—yes?

Ariane: Senator Kiffmeyer, this is Ariane Bromberg. I guess going forward, I want to make sure we're all on the same page. We're talking all variances, we're not just talking age capacity, correct? Because like Kim just mentioned, she was just thinking age and capacity, in my lens, it's been all variances. So again, to make the conversation go smoother, we're talking all variances, correct? Are we all in—

Sen. Kiffmeyer: That was my thought.

Participant: I need to go back around—yeah. I—

Sen. Kiffmeyer: We're going to set aside D1, D2. But thank you for bringing that up. That was a wonderful, very important clarification to do, but let's still set it aside and you guys think about it. Stella, go on so that we move on to other ones, okay?

Stella: Thank you. All right. So the next item is E1, which is DHS to communicate with county attorneys, county courts to educate and encourage use of variance. E1

has 13 green, 5 yellows, 0 red. So that could be a potential item as well into the interim report. So circle E1. The next one is E4, I believe. Yeah, I already did E4 earlier, right?

Sen. Kiffmeyer:

No, you did not.

Stella:

Okay. Sorry. All right. Okay. Next one is E4. E4 has 11 green, 8 yellow, and 0 red. So that item as well could potentially go in the interim report, circle E4, DHS provide training on variance for licensors. Final one is E2. While I'm stalling here, there's one that had a red, so whoever it is that had a red, if you'd be able to share any concerns or any questions regarding it. So that's why I'm stalling now. So E2 is 11 green, 8 yellow, and 1 red.

Julie:

I'm the red. And the reason I put red under that one is because any county licensor that has been already properly trained understands the alternative to variances. And so I think it's redundant in developing a guidance for DHS to be doing that because that should already be taken care of during the licensors' training to become a licensor. If they don't understand there is alternative to variances, then they have not been trained properly in the first place.

Stella:

And that is Julie?

Julie:

Yeah. Sorry.

Stella:

Thanks, Julie.

Sen. Kiffmeyer:

Anybody else? Considering that, does anybody want to change their—there was 11 green, 8 yellow, 1 red on E2.

Hollee:

Hollee here. Would E2 and E4 almost go hand in hand then?

Sen. Kiffmeyer:

E2 and E4. E4 is provide training and variances. E2, collaborate with counties to develop guidance.

Hollee:

Yes, correct. I just—

Sen. Kiffmeyer:

I would say they are very similar.

Hollee:

Because couldn't we just ask the training for licensors included—or information about alternatives to variances or include—make sure it required DHS to send information to licensors about alternatives variances. I mean, I wasn't expecting that it has to be a super detailed one day training or something like that, I was thinking as long as they sent a memo or something or private information, that was fine for me, so I don't know.

Sen. Kiffmeyer:

Okay. The question is, do we want to—E4 was 11 green and 8 yellow. E2 was 11 green and 8 yellow, by the way. Those two could be combined, E2 and E4.

Lauryn: I have a question. This is Lauryn. Are these recommendations you envision on being submitted?

Sen. Kiffmeyer: Well, what we would do is, this would be the first cut in regards to drafting the report to the legislature. And so the items, when Stella says, things that have the greatest number of green, so on and so forth, that's what we're doing right now, selecting those things to include in the report. I don't know of the exact language that's here right now would go in the report.

Participant: So then if concepts are similar or related, that language could be flexed to be a broader singular statement on providing education and encouraging support. That would include some of these concepts, not necessarily five bullet points of different options.

Sen. Kiffmeyer: There's some overlap, I think is what you're saying. And there could be editing that just smooths out—Stella?

Stella: Yeah. So one of the things is, that's why I needed the guidance from today in terms of what you want to do as Task Force members for what to include in the interim report. So at the next meeting, my goal is to collect that information, get it in there and then between now and this meeting to be able to get folks to react to the statements that are in there.

Sen. Kiffmeyer: So Stella, let's clarify that. So at the next meeting, you would take this input and do a draft report, draft language to go with the report, is that right?

Stella: Correct. So I'll be working out—this is Stella again. I'll be working out an outline of the report first with the leadership group, getting the feedback from the co-chairs as well so that the outline could be put together and then put the concepts and the contents that describes what's been happening with the Task Force, this is where we're at, this is what's been done, and then also with the potential recommendations that can go in there in the interim report.

Sen. Kiffmeyer: And so my anticipation here, Stella, that would come back to this Task Force, you then, as a Task Force, debate, discuss, again, you can take out, you can put in, you can combine. This is a process of looking at these things. Stella will do some work, will come with it, have a draft for you, and then you would give input to it again. So nothing's going to be final until you say so next month. But you got to get a draft, you have to go get them somehow. Could you go ahead, Stella? I want to really get up to—

Stella: Yeah. So we are now at—okay, so we talked about—okay, thank you, Jolene. Okay. So we have the rest of the other ones that have a lot more red. So the ones that have a lot more red are starting with C1—I'm sorry, next one, I have some just going already. So C1 is the next one which has six greens, nine yellows, and six reds. So there seems to be a lot of questions around the C1. And then the next one after that is C4. So these are very unlikely unless we can come to some agreement with the language, with their—these are a lot of reds, okay?

C4 is the next one was a lot of reds, starting with greens, that's five greens, nine yellows, and seven red. And C3 three is five greens, eight yellows, eight red. And then C2 is four green, eight yellow, eight red. And last—oh, sorry. Is that going to go last? No. Okay. One, two, three, four—okay. I won't say last, five more. Okay.

Sen. Kiffmeyer: Before we go there, C1, 2,3, and 4 have pretty iffy—can we just make a decision here right now? Does anybody object to not including any of them?

Kim: This is Kim. I want to say that this stuff already gets checked. Every year at our audit, variances are already looked at. We store them throughout our two to four years, and DHS checks our variances.

Ann: And this is Ann, the only reason that appealed to me was the extent that we can see trends and learn about why variances are being granted, I thought it would be useful. I understand the politics and the nervousness about it, but there's something out of this that could help us look and see what's happening, because that isn't available right now.

Sen. Kiffmeyer: Yeah. It doesn't seem to have right now anyway, the way to support that I think is worth investing a lot of time and energy into it. I think that's mainly the—would you go on to what's next?

Stella: Yes. And I'm glad, Senator that you just referenced back when I was saying the C1, 2, 3, 4, it's basically the [inaudible 01:24:37] of all the Cs here. It's got a lot of red. So the next one is C2, which has zero green, two yellow—I'm sorry. C2, two green, eight yellow, eleven red.

Sen. Kiffmeyer: Okay. Let's just strike that one again.

Stella: And then B1—C3 is one green, twelve yellow, seven red. E5 is one green, six—

Sen. Kiffmeyer: E5?

Stella: Yeah. E5 is one green, six yellow, fourteen red.

Sen. Kiffmeyer: I would say that's another [inaudible 01:25:23] that's too many.

Stella: And then A1 is zero green, five yellow, fifteen red. And the last one is zero on green which is B1, sorry, B1, zero green, two yellow, nineteen red.

Sen. Kiffmeyer: Okay. We got other stuff to do yet tonight, so I just want to—I think we've talked this and gone through it. You're going to see it again next time. People, I don't know if we want to—we gave input to Stella, do you want to just summarize what they are, Stella? Can we do that? What I have is D1 and D2.

Stella: Let's see. I'm sorry, C—

Sen. Kiffmeyer: We're iffy. We were going to come back to D1, D2. Is it time to put them in the report or do we want to set that aside or do you want to put it in the report, wait next month and see how it's written and take a stab at it again? I'd like to move on and not—we got other stuff to do. Okay. Let's do that. We'll put all of the Ds go in them.

Stella: So I have circles. Give me one second.

Sen. Kiffmeyer: Yeah. I just don't want to repeat it all and take that time. These one, two, three and, four, that's where they have 16 green, 16 green, 20 and 20. So I think that's a fairly strong—remember, this is not the final, so let's see the language next month and then we could still kick stuff out. E1, that's 13 green, E2 has 11 green, E3 has 17 green, and E4 has 11 green. E5 with very low, many red, so that's not in. So E1, 2, 3, 4 seem to be heavily greens. So let's do those one through four. Okay. Then we go up to C—A2 is in, that's 19 green, A1 is not. B1 is not, B2 and B3, I have down as one green and—just so low. So that really leaves C1, 2, 3, 4 where we had six green, six red, four green, eight red, kind of iffy there. Anybody want to rescue one of the Cs?

Lauryn: I just have a question to confirm. The data is currently being collected in some capacity, so is that this agreement between DHS and counties?

Reggie: This is Reggie. There are individual reviews of counties historically, once every four years. And certainly, those types of things are looked at, but DHS, we don't collect every individual variance that's issued, we don't look at it, we don't analyze it, aggregate it, do anything with it. So whether every single variance, that a county license, the county licensors issue is sitting at DHS, I don't think that it is, but—so that's what this is sort of getting at is would we be—as I look at this, would we be collecting that? Would we be summarizing it? Would be figuring out, as I think Ann mentioned, what are the trends? So everything that are looked at is part of the county review, but it's not in any way that's contemplated here.

Ann: This is Ann. I think what I heard Kim say is you're thinking where the DHS is looking at it from a regulatory perspective to see it get done or not. Now, what I was trying to reflect that and read on it, I'd asked Reggie before we broke up to do our dots was, is there trend line information that we can learn? And you started to look at that or the centers and learn from interesting things.

Reggie: Because we give the centers out. So we have all that in house.

Ann: So that's what motivated me to want to put greens because of that example.

Sen. Kiffmeyer: What was that again? Thank you Ann, I get you. What was that again, Reggie?

Reggie: Well, I just was saying because the child care center licensors are my staff, so to speak, they are DHS employees. We have every single one, it's in our database. There's some way for us to analyze it, look at it. And so again, in our delegated system, all those individual decisions, variances that are made, they stay in the

county files. So with correction orders, we never knew about those correction orders generally, except we build a special tool to capture the information. So I'm just saying with the variances, very fast, specific, it's done at the licensing level, and they are in their files and we don't gather them, we don't analyze them, we don't look for trends or consistencies. But centers, we do because we own that process in that data.

Participant: If there was a variance circumstance consistently granted in every application over a year, would that then be grounds for maybe variance becoming the new way as opposed to something that must be applied for, whatever result in a change of law regulation?

Reggie: Right. This is Reggie. I mean, that's exactly what the aggregate data would allow us to do. And I think what Ann and I were talking about, which is are variances ways to address gaps or things that are outdated or things that are missing, so yes. And for our child care center data, when we looked at variances and saw how many were being given specifically for teachers and assistant teachers qualifications because variances to the rule, we worked with some legislators on changes they wanted to make, but we had the data to help us know, "Oh, these are some pain points."

Sen. Kiffmeyer: How would they get—so say we have information, how would you—my big thing is, how would the counties submit information to DHS so it could be aggregated and do the same thing?

Kim: This is Kim. Again, at our audit, they come and look at it, they can take it, they can have it anytime. We constantly, every time we grant a variance, it's on file because we know that when we get audited they're going to want to look at it. So it's there, I could pull up everything we've done the last four years. So they can always look at it or someone can, I don't know that it's—I mean, does it need to be DHS, does it need to be ACET, whatever. I mean, it's there. It's all there for every county because it's part of our audit.

Sen. Kiffmeyer: Kelly?

Kelly: To kind of piggyback what Kim is saying, some counties probably aren't keeping that data. And I don't think it would be that hard to get the data. Why can't DHS go to the counties and say, "Hey, we're doing a structure thing, we need to find out how many variances went out in 2019." I mean, it shouldn't be a rocket scientist to get that data. And hand in hand, and here you go and bring it here, and then we could say, okay, 75 percent was on children, 25 percent was on animals or whatever. I mean, it can't be that difficult.

Reggie: This is Reggie. It's all very paper-driven, so again, with the centers, it's all entered into our database, it's much more automated and electronic and easier for us to get at an aggregate level. So anytime somebody grants a variance or probably even, I suppose denied, because people have to fill out form, all of that paperwork exists at the county level. It's a question of how much that's going to mean coming to maybe what the volume is, how we would analyze it on paper?



Sen. Kiffmeyer: So that tool that you have, Reggie, that you do for centers, is that tool flexible enough?

Reggie: Folks, it's not for the variances, it's how our staff enter the variances into our database because it's all internal, it's in-house and they're not in our database. The tool that we built for correction orders, which similarly up until recently, were always at the county level in the files, we built a special tool to capture the correction orders. So that tool doesn't apply for the variances. So can we do a random poll or a year poll? I mean, we can do it. I guess we'd have to look at how voluminous that would be, we'd be looking at typed or handwritten things. It's very, very different from having something that's been entered in a database that my data people can pull an aggregate report out.

Sen. Kiffmeyer: I might suggest another option. If you create a table that give the different types of variances and the county fills it out, and then there's 87 counties data, 87 sheets, but you would have a precept category, and they would just tell you how many of this category, how many of that category, that seems to me would be more doable to add it up. Cyndi, sorry, didn't see you.

Cyndi: Cyndi Cunningham. Maybe this will be the middle of the road. I would like to propose that we—I mean, I think this is something that is good. I agree with the aggregate we're setting here. We don't know what or why, and some of that what or why could lead to changes in actual legislation. If it's things that needed to be changed or consistently being looked at, it would be a way to identify that. However, at this point in time, we have no uniformity already at the county level.

So what would we even be pulling and doing and how—so if we could somehow, and the magic of this group, put this on a delay to look at until we even start with some uniformity within the variances? Because county attorneys, they've got a number of precursor steps to get to the point where there would even be a consistent—no, I think the gathering would be good. We don't have it now, but it seems like we're so early on even in addressing the issue of variances that I think is a step down the road.

Kim: This is Kim. I know that this is one of our eight goals, but I don't know how—we have now spent two hours on variances, and I don't know how this affects family child care providers leaving the profession, quitting, not wanting to do child care anymore. And the amount of time—I get that we needed to change it, I understand that, but we have now spent so much time on this one little thing. We haven't talked about out-state businesses, we—I don't think that variances are having that big of an impact. And I would love to hear from the providers who are here that—because this is a waste of time. I will just say it.

Sen. Kiffmeyer: Well, I don't think that it's a waste of time, Kim. I think for—

Kim: These parts of it are. Changing the stuff—all it says, because I was sitting here looking, all it says is that we look at the variance piece and reviewing existing variance authority delegated to counties and recommend changes if needed.

We did that an hour and a half ago. That's it. We didn't say switch it to counties, give it to DHS, don't do that. All it says, delegate it to counties and recommend changes.

Sen. Kiffmeyer: Okay. So let's wrap this up and finish this to where we are. A2 and D3, D4, E1, 2, 3, 4, and then let's move on.

Participant: We got to vote on this are you saying?

Sen. Kiffmeyer: Okay. You want to vote on this? Here's my thing. All we are doing right now is narrowing the selection for things to go in the report working by consensus, right, which is what we do with the green dots. If we could maybe not do a roll call vote, but if we could just take the work we have done, bring it forward to next month is the work we're going to do. And then let's go on because we have just 55 minutes left.

Scott: Senator, just to clarify. This is Scott. Are D1 and D2 moving together at equal weights at all? Because with all the clarification we've talked about tonight, I'm just trying to understand where everybody's head is on those two because there's a very strong implied or that came out of this, not an and.

Sen. Kiffmeyer: Correct. Could be read that way, to have counties develop criteria policies. Okay. All those who want D1, raise your hand. Okay.

Stella: I'm sorry. For individuals that are not—that's not here, JoAnn, I just need to please raise your hand again so I can let JoAnn know. Okay. Julie, Stephanie, Hollee, Liz. Thank you.

Sen. Kiffmeyer: Cyndi. Ami.

Stella: Ami and Mary.

Sen. Kiffmeyer: How many of you want to do two? D2?

Stella: Okay. I have Marit, Heidi, Ann—

Rep. Demuth: And Lisa.

Lauryn: This is Lauryn. So the question that I had is from the problem we're trying to solve here is that individual counties are doing not uniformly within their own population or that providers in one county are having a different experience than providers in another county? And my understanding was providers in different counties were having different experiences and therefore, D2 would be more aligned to addressing that need. But it seems providers had a different vote here, so—

Hollee: Sorry, I thought you were asking about all—Hollee here, sorry. I thought you were asking about licensing—

Sen. Kiffmeyer: Folks, we got to just—we're going to this again, we're going to go circle, circle, circle, so we're just going to cut this off now.

Stella: I'm sorry. Just one more. Heidi, I thought you—Heidi, you had raised your hand.

Heidi: Heidi Hagel Braid. One of the things I think to keep in mind is that in many counties, there's only one licenser and so it is both and, right? So you may have one person who covers an entire county, and I think that is problematic as well.

Stephanie: This is Stephanie. D3, there was highest consensus, require counties to post criteria policies on their website. I think that somewhat supersedes D1, am I—

Sen. Kiffmeyer: D3 was very high and D4.

Stella: And to answer your question, I had D1 and D2 because there is still discussion about, I had a question mark so that wasn't on the list for moving forward in the annual report the way it is right now.

Scott: They were not.

Stella: No.

Rep. Wazlawik: This is Ami. Can we just say we're going to move forward with it and discuss it next time? And then if we don't like it, we can strike it. It's not a final report. So I think if we want to have a little more discussion, we can just forward it on and then you can—

Sen. Kiffmeyer: All right. So let's move on. The next item on our agenda that we have here right now is right here. I don't know if I have the right agenda now because I moved. Okay. The next item that we had wanted to wrap up from last time to leave to the end of this agenda, there are two things we'd like to get to. Hollee's at least distributing, putting it out so everybody can have it and take a look at it. But the first one is to revisit the survey. On the survey—huh? I'm getting there. So on this survey, one of our big discussions was who would do the survey, the tools, so on and so forth. So Stephanie chatted with both Representative Wazlawik and myself, about a tool. She has something to tell us about. Would you go ahead, Stephanie?

Stephanie: Yeah. So I'll try to make this quick, and I do have paper copies of an overview of what I am proposing. This is Stephanie Hogenson, I'm the policy director at the Governor's Children's Cabinet. So the Children's Cabinet is charged by the governor and lieutenant governor to make Minnesota the best place to live for every child to grow up. And so one of our approaches is through a results based, data-driven cross agency action team in five priority areas, one of which is around child care. And in that cross agency action team, we're collaborating with Minnesota Management and Budget, the Results Management team, and they are supporting our child care action team and developing strategies to increase child care capacity across the state, including maintaining existing family child care supply and increasing it.

So we have determined through that work that we should survey—increase our knowledge through surveys of child care providers, and we had hoped and through updates from the notes from last meeting and the survey discussion that we could help mitigate some of the concerns around the survey by collaborating with the Results Management team to administer the survey that has been drafted through the work of the Task Force by the Results Management team at MMB. This would allow for the Family Child Care Task Force to receive the analyzed data from the survey as you've all—as I've heard has been a desire, of course. And then it would also inform our work as well.

And the results team has administered similar surveys including the other entities regulated by the state and has good responses. The results team has a lot of survey—people who are trained in survey science, and so they—this would also—obviously, some people had some concerns around DHS administering the survey and that affecting the response rate that could help mitigate that. There would be no direct cost to DHS or the Task Force for this survey administration. As some proposals before, there would be cost.

The survey data analysis would be publicly available by request and of course would be provided to the Task Force, and the timeline for that would be after the legislative session begins, since we are not planning to meet after next meeting and we'll have a full agenda and obviously, that's February 4, so that's only a couple of weeks, it wouldn't allow for the time to prepare the survey and analyze the results. And the data then would be used by the Task Force and the Children's Cabinet to inform some of our aligned goals around support, better supporting current and potential family child care providers.

And I outlined the next steps, but ultimately, we take the draft of the survey that was provided and created here, the input you created with—and there might be some slight modifications, but most of those would be in regard to functionality, research practice, best survey guidelines and practice, while the survey would still be anonymous and this might be one key point. We would hope to ask respondents whether they are open to being contacted for follow-up questions, in which case they would have the option of providing their name and contact information. It would not be a requirement of the survey, but might allow us to have some more qualitative data or to encourage providers who've closed if they're interested in opening up. Again, opening up that conversation.

And just so you're aware, the results team is considering surveying broader child care centers and current family child care providers, but this process would still be outlined in previous proposals, the same context of former providers that was proposed in previous meetings. So former child care providers who have posts in the past since 2017, and the kind of demographic and criteria outlined on the back of the sheet of the data that is available, those former providers who has e-mail addresses where they're located and how long they were open is outlined on the back of the sheet.

And so those e-mail addresses, the same email address providers would be surveyed as if DHS conducted the survey, but this would just hopefully mitigate some of the concerns around response rates as well as allow us to employ some support by some people who've done similar surveys in the past. And I think I covered most of it as quickly as possible. So my—and just to reiterate, our goal to align as much with the Task Force as possible, the survey that's already been developed, but move the process forward quickly. We would get the survey out in a couple of weeks and start analyzing the data shortly thereafter.

Sen. Kiffmeyer: Stephanie, I just want to clarify, all the raw data would be available, so when you talk about analyzing, any Task Force member would be able to analyze it on their own as well, correct?

Stephanie: My understanding is that when surveys like this are conducted because of the Data Practices Act and that it is a government entity, that we would have to provide that data. Now, if people provide personal data, I would have to get clarification on that fact. But as I mentioned, we would be having that option for people to provide their personal data, but it would be an option and not a requirement.

Sen. Kiffmeyer: And everybody would have access to the data for review upon request, right?

Stephanie: Yes. I mean, private, Minnesota [inaudible 01:49:03] as well.

Sen. Kiffmeyer: Yeah. Not private.

Stella: Any questions for Stephanie regarding the proposal?

Sen. Kiffmeyer: Julie?

Julie: I don't have any questions. This is Julie Seydel. I just need to make a statement and maybe I need to make a motion on this, but we know why providers are quitting. We have, as providers, have repeatedly told our story over and over and over and over for many, many years. We have Task Force recommendations that nothing has ever been done with, we have a survey by MACCP that tells you exactly why providers are quitting, and yet we're wanting to do another survey. We have put up a lot of time and effort into the survey when it could then put into what we actually know and the changes that we need to make.

And I don't mean to sound rude here, but I'm really tired of talking about the surveys. Let's move on and get to the root of it, what is going on and the changes that need to be made. We're using up a lot of our valuable time on this survey, time that can be spent actually making positive changes for providers.

Sen. Kiffmeyer: Cyndi?

Cyndi: Cyndi Cunningham. [inaudible 01:50:11] to Julie, I've been in all of those settings. Stephanie, I really appreciate that offering. And in that part, and I think it would be a way to accomplish for a lot of organizations, a lot of people. And if

it can be done in that way, to me that sounds like a really positive way to go about approaching this. Question, did I hear you say that also the Governor's Cabinet would be looking at current providers but it would be separate from what kind of this request process would be, is that what you're saying?

Stephanie: Yes. So there may be additional surveys that our child care action team will work with the Results Management team to administer. And similarly, that data, we—our goal is to use it in our work, but the data is publicly available. But that one—my intention was to close this case, solve some of the concerns, and then that aspect would be within our realm of our work.

Sen. Kiffmeyer: Cyndi?

Cyndi: Can we do a motion and a second, and then we can do a quick discussion and motion [inaudible 01:51:21]?

Sen. Kiffmeyer: Sure, absolutely. Want to make a motion, Cyndi?

Cyndi: You bet you. I want to make a motion that we accept the offering of Stephanie to—I'm sorry, it's been a really long day.

Sen. Kiffmeyer: Stephanie's proposal.

Cyndi: Proposal to go with, for the past and take it in little bit for the next few weeks.

Ann: This is Ann. I'll second that.

Sen. Kiffmeyer: Ann is seconding it. Okay. So that's the motion and the second. We have, I understand, the whole thing, could we just—

Participant: And I just have a quick question. You said the draft, is that the draft plus the feedback that we gave at the last meeting, or what does the draft mean?

Participant: Yes. My proposal would be that we take the draft and the feedback and this vote in my intention, and correct me if I'm wrong, the people who gave the motion that we could just move forward and make the modifications that in regards to those suggestions and any other minor edits and do the survey and have the results by the meeting after the session.

Sen. Kiffmeyer: So Stephanie, just for all of you to know, on our minutes today, were photocopies. They took a picture and included in the minutes, which were what we had done and feedback, she would use that to modify that survey. Okay. No more discussion?

Hollee: I'm sorry. Hollee Saville here. I have lots to discuss, sorry.

Sen. Kiffmeyer: I didn't see a hand go up, so that's how—

Hollee: I'm sorry. I was waiting until you were done. I honestly have a lot of concerns with an agency appointed by the governor and controlled by the governor and lieutenant governor, when we are a Task Force that has been appointed by the legislature, bi-partisan and we are charged with doing this and I would rather have a survey come from the Task Force. And I know you've put a lot of time in this, and it's obvious, Stephanie, so thank you for that. If I'm being honest, one of the policies, one of the big policies that has made providers quit is a push for universal preschool. That is something that's been pushed by our governor and that has something to do with party politics that is a concern.

I will personally, if that went out from—if the survey went from the governor's agency, I would have trouble promoting that for providers to take that. And I think you would have trouble getting current providers to submit that. I would rather have the survey, if we're going to do one, and I'm not saying that we need to do one, but if we did one, I would have rather have it come from the Family Child Care Task Force where people can see if the results are going to the Task Force, is being administered by the Task Force, they're more likely to respond. And if we did the survey, it was obvious that there are still a lot more questions to go over and there wasn't a consensus around a lot of the items. And we did spend an entire meeting pretty much talking about surveys.

I mean, I appreciate the time that would go into this, but DHS is an agency appointed by our governor, so all this is is going to a different level of an agency appointed by our governor, chosen by our governor. And I would be saying the same thing regardless of who was our governor, it has nothing to do with Governor Walz. I just have big concerns about a political entity or I mean having any say in the survey, I would rather—I mean, if you want—if the Cabinet wanted to do one on their own, but the work was done by the Task Force, then I would rather have the survey come from the Task Force. Thank you.

Sen. Kiffmeyer: Stephanie.

Stephanie: This is Stephanie. I do want to clarify, the Results Management team is a state agency similar to—or is a division of Minnesota Management and Budget, which is a state agency and is not—they are not political appointees, the staff. So I do want to clarify that similarly to how the staff at DHS are not political appointees. And I also do want to clarify that the Children's Cabinet and the governor and lieutenant governor are very much working toward a mixed delivery system that's best for child care and early education that best meets the needs of families and children across the state. And one of the actual goals within the child care action team is to increase family child care providers, as well as broadly child care capacities through increasing and better supporting existing centers and family child care providers.

Sen. Kiffmeyer: Liz?

Liz: This is Liz. I apologize if—has there been information from the organization about why providers are leaving, like your data?

Julie: We haven't circulated it yet because they have come to the point where we can bring this information. Now, I've been sitting here with a ton of information at every meeting and nothing is on the agenda for me to bring it out. So there is information out there. There's more than just from our organization, too. I've got the Task Force, 2017 Task Force recommendations that have been sitting here now for over two and a half years, and nothing has been done with them either. There's a ton of information.

Reggie: Could I just—Senator, I'm very sorry. But this is the second time, and I would just ask us to acknowledge that many of the recommendations we presented for licensing specific, many of the recommendations from the previous legislative task force in fact have been implemented, through a range of efforts, providers, legislators, advocates, the Department so I want us to be clear that there has been follow through and legislative changes and policy changes done from the 2016 recommendations, and I will speak specifically as a whole, licensing wise. So I'm troubled if you will continue to say that they're not. I, just as a point of information, want us to be able to acknowledge where good work and movement has been done by so many around this table.

Participant: And I seem to recall that at one of our very first meetings, there was a presentation on multiple surveys that have been done. One of them was yours but there were others. And I think one of the challenges we talked about is the fact that I think as we sent the survey, there were different results, and so this was an attempt to do something across the board. And even in our small group, we talked about the fact that we could use this to dig deeper underneath some of those umbrella terms like overregulation, but which regulation? So we started out with very positive consensus that this was an opportunity to dig deeper, and I really think we need to take it.

Ami: This is Ami. I agree. I think that I remember talking about those surveys and the conclusion was we didn't have enough detailed information to actually make specific changes to policies that we wanted to do. And I think that's part of why we're trying to—we're asking the deeper questions to get specifics that we can actually use. We can't change policy when someone says, "Overregulation caused me to quit." That's not helpful. That's not going to help with actually making specific policy changes that are going to be helpful.

Sen. Kiffmeyer: Scott?

Scott: This is Scott. I want to say thanks, Stephanie and the team for doing this. This is a fabulous solution. I appreciate you throwing it out. I think the question before, as I try to reconcile all this from the last two meetings, going back to our duties, the phrase after the comma, if necessary, doing economic development for my day job and as I think about child care providers as businesses, as entrepreneurs on Main Street if anything else, business retention surveys and understanding why people are struggling and hurting and going out of business is critically important for any economic development initiative. And I guess as I read this, by



reviewing previous survey results and conducting follow-up surveys if necessary, we have a solution proposed tonight here.

But I think one step before then, I don't know, have we answered the question if necessary. And I think as Julie's pointing out, I think she's implying an answer to the phrase if necessary, but do we have consensus on that? Because I don't think at 9:01, we can walk out here without having a solution to this on whether or not we're going forward. And do we feel there's enough data to be reviewed under duty one that can answer those questions as Representative talked about what those issues are, or do we need to do our own thing? Whether that's through that the cabinets and their assistance are our own thing, do we feel we have to? That that type of data is critically important, but if it's already here, the statutory duty implies reviewing survey results could be adequate.

Ann: Sorry, Scott. This is Ann. And Stella, maybe somebody who has a record from way back, I thought we had agreed that we didn't have enough data and we did think that going forward to do a survey then dug deeper was a good idea as a consensus where we got tripped up with who administers it. But I don't think that—I didn't think we ever left the idea that doing a survey was done necessary step at a time, or maybe I remembered wrong.

Sen. Kiffmeyer: Liz? Here's my proposal though. Two more minutes and then we're done. I'm done, let's put it this way.

Participant: We're all right there with you.

Liz: I think after hearing the explanation of the results team from Stephanie, I'm comfortable with moving forward with them doing a survey. And then, here's just a suggestion if they administer, take a look at your survey, do some cross comparison and then move forward from there.

Sen. Kiffmeyer: Okay. Anybody else? Hollee?

Holley: Hollee Saville here. Duty number three states that Family Child Care Task Force must conduct the duties because—

Sen. Kiffmeyer: Must conduct the what?

Holley: I'm sorry, must conduct the survey because that's—it says that—

Sen. Kiffmeyer: The language is right there, I believe.

Holley: I know. And conducting follow-up surveys, that's one of our duties, right, if necessary? So we're the ones responsible with conducting the survey if necessary?

Scott: You're talking about the last part of duty one?

Participant: I don't know that we need to administer the survey, I think we developed the survey questions. I don't know that it means that we have to specifically, someone here has to send out that e-mail that says, "Here's the survey," just my perspective.

Sen. Kiffmeyer: Okay. Let's bring it to a vote. Are we going to—I think what Scott said, do we want to do a further survey? But remember, the previous work was, yes, that would be helpful to dig down a little bit deeper and do that. Okay. So we have a motion, we have a second to take the proposal that Stephanie has brought forward and to move on that area of the survey. Do we want to do a roll call on this one just because it's a little different?

Stella: Yes.

Sen. Kiffmeyer: Okay. So the vote would be aye or yes, nay or no.

Participant: Yes to accept the proposal? Could we just make sure we're all—

Sen. Kiffmeyer: Well, we have a written—okay. That's a very good point. There is a written proposal in front of you that was handed out by Stephanie. That was about 20, 25 minutes ago or so, that has been in front of you for that period of time. So I don't—

Jolene: Would you like me to repeat the motion, the original motion? Would that be helpful?

Sen. Kiffmeyer: Yes, please. Sure.

Jolene: The original motion was to accept the offering of Stephanie's proposal and to take it forward.

Sen. Kiffmeyer: Okay. We'll proceed to a vote. Ann.

Ann: Aye.

Sen. Kiffmeyer: Ariane Bromberg.

Ariane: Aye.

Sen. Kiffmeyer: Ariane. Aye, okay. Cindi Yang.

Cyndi: No, Cyndi Cunningham.

Sen. Kiffmeyer: I have Cindi Yang on here.

Cyndi: I'm Cyndi Cunningham.

Reggie: That would be me. Commissioner's.

Sen. Kiffmeyer: Oh, I see that, Reggie. Okay. Reggie?

Reggie: Aye.

Sen. Kiffmeyer: Cyndi Cunningham.

Cyndi: Aye.

Sen. Kiffmeyer: Dan Dorman.

Dan: Aye.

Sen. Kiffmeyer: Erin Echternach.

Erin: Aye.

Sen. Kiffmeyer: Erin Johnson-Balstad. Heidi Hagel Braid.

Heidi: Aye.

Sen. Kiffmeyer: Hollee.

Hollie: Nay.

Sen. Kiffmeyer: JoAnn Smith.

JoAnn: Aye.

Sen. Kiffmeyer: Julie Seydel.

Julie: Nay.

Sen. Kiffmeyer: Kim Leipold.

Kim: Yay.

Sen. Kiffmeyer: Was that yes, aye?

Kim: Aye, sorry. I said, yay.

Sen. Kiffmeyer: Okay. Lanay.

Lanay: Aye.

Sen. Kiffmeyer: Lauryn Schothorst.

Lauryn: Aye.

Sen. Kiffmeyer: Liz Harris.

Liz: Aye.

Sen. Kiffmeyer: Marit Woods.

Marit: Aye.

Sen. Kiffmeyer: Representative Wazlawik.

Rep. Wazlawik: Aye.

Sen. Kiffmeyer: Representative Lisa Demuth.

Rep. Demuth: Aye.

Sen. Kiffmeyer: Reggie—I have you down here.

Reggie: I won't vote for it. *(said jokingly, because she had already voted)*

Sen. Kiffmeyer: Okay. All right. I'll put it right there and cross this one out. Here. They are put. I have to. I can't follow that. This doesn't work. Samantha Chukuske.

Participant: Not here.

Sen. Kiffmeyer: Not here? Okay. Scott.

Scott: Aye.

Sen. Kiffmeyer: Senator Kiffmeyer, aye. Senator Melissa Wiklund, she's not here. Stephanie Hogenson.

Stephanie: Aye.

Sen. Kiffmeyer: Tiffany Grant. Not here. Okay.

Kelly Martini: This is Kelly Martini.

Sen. Kiffmeyer: Kelly Martini.

Kelly: Aye.

Sen. Kiffmeyer: All right. The ayes have it. And the survey project is on its way. The next one I think is very important to do. We've actually done the things that are on our agenda tonight, and we have about 25 minutes left, and I think it'd be really good to give Julie Seydel an opportunity to handout her materials, explain it, and go over it with us. Before that, I do want to add to what was said before and remind that I carried much legislation last year, 2019. Many things did get done.

Participant: And I agree with that, Mary, I was there with you. Unfortunately, there was a ton more work that needs to be—

Sen. Kiffmeyer: We are not going to say that because there's still more to do. We didn't get anything done, we did get things done.

Participant: Right. I guess there's other organizations and other groups and other people who have legislation who have tried put this—how do we bring all of that to the table? I have a concern with uniformity and that the words are—

Sen. Kiffmeyer: Opportunity to bring forth legislation, I would say—

Cyndi: This table, I don't know where we're going.

Sen. Kiffmeyer: Let me put it this way, Cyndi, for me, I just feel like you have the opportunity to—this is a draft project just like some of the other things we heard. So how about if we just take what's [inaudible 02:07:32]? I don't think this is a vote or a decision or anything, but—

Ann: So Senator, this is Ann, so is this open for next meeting, anybody that wants to bring some legislation or some concerns, can we open it up so that—

Sen. Kiffmeyer: Absolutely. I think if we have a better agenda and we stick to the agenda—

Participant: This is not MACCP public policy agenda here, this is work that we started with Senator Kiffmeyer and other senators and health representatives that did not get completed. So this isn't something personal, it's just work that needs to—

Participant: So I know that it needs to be here. It's just that we didn't know we had the opportunity to bring these forward outside, so it's trying to figure out how we move forward and bring things—

Stella: And this is Stella. One of the things that I think will be really critical in terms of the—I'm going to seek guidance from the leadership team in regards to this. One of the things that we had talked about is the idea of giving everyone time to reflect on materials that are being sent ahead of time as well those are participating by phone. So be critical that we've established additional ground rules moving forward, whatever that looks like. Because if we are going to start showing documents that are just not meeting—it's not giving people, which is what I heard from feedback and evaluation is that it's not giving people enough time to look through it, process it. And as a facilitator, I also need time to process it and work with the co-chair, whoever the leading co-chair is at the meeting to be able to facilitate that, too.

And I do appreciate some comments regarding whether we're going to just have it open if we have time, to have individuals bring in their materials. So that's something that we'll go ahead and proceed as the lead chair for today had mentioned moving forward that we're going to look at just—but this is something I will have to address with the leadership group moving forward, okay?

Hollee: Hollee Saville here. And just to clarify all of these things [inaudible 02:09:47] duties one. Hopefully, anything we all bring forward would speak to or individual duties that are on the Task Force so that we're not just throwing all kinds of things out there. And you, the leadership team would develop the

agenda and any items brought forth, we have to go along with the duties being discussed at that meeting, correct?

Stella: Okay. I appreciate you, Hollee. This is Stella. I appreciate you mentioning that. So with what was passed around, JoAnn, you don't have this. Julie, JoAnn doesn't have this, right, the material?

Julie: No.

Stella: Okay. JoAnn, I'll follow up with Julie just so that we can get this information to you. But Julie, if you could please share with us which duty, this is information, and again, I haven't had a chance to look at it, pertains to which of our eight duties?

Participant: It's number one, right, Hollee?

Hollie: I'm looking at them and yes, it's all number one.

Ann: And so again, this is Ann. There are other issues in number one that I think my organization might be interested in weighing in on that are reflected here. So I would appreciate guidance for next meeting if we have the opportunity to address some of the concerns we have.

Stella: And Dan. Dan, I'm sorry, Dan.

Dan: Dan Dorman. I like the information. I'm never afraid of information, but maybe we just need to get it to somebody X number of days before the next meeting so that whoever is on the has it, we could have read it before we came. That's certainly not a criticism if you weren't given that opportunity. I'm just saying in the future, is that possible? I mean, is there a—get this to somebody five days before the meeting so that you can distribute it to anybody else?

Stella: So one of the things is that if there is some ideas or documents to be shown, it would be to share it through me, to the [fcctf@acetinc.com](mailto:fcctf@acetinc.com) e-mail. Then what I do is I—my position is to work with the leadership team to talk about what would be on the agenda. So this is what I'm hearing across the board from members because I know that folks, they want to be heard. This is going to be really important as we move forward in the next few meetings and then reconvene again. So with that, Senator Kiffmeyer, how many minutes do you want to proceed with Julie so I can have the time—

Sen. Kiffmeyer: Ten minutes maybe. So the point this from what I understand was to expose it—well, I'm not going to—

Julie: Julie Seydel. This is—it's just information I'm bringing forward so that everybody has the information. You can look at it, you can read over it, and we can discuss it at a later point. None of this information was getting out and that's why I brought it forward. These bills that you have are bills that are actually introduced last year. Some of them had bipartisan support, they did not make it

all the way through the process and didn't make it into the omnibus bill. These are very important things that child care providers would like to have. Just please read through them.

Anything that I can give you information on, the number one about Rule Two is probably something for a later discussion because we also need to talk about the tiered licensing system and that needs to be done at the same time. So I wouldn't waste, or not waste, I wouldn't use a lot of your time worrying about one until we get past this session and into next year because we need a lot of time to talk about Rule Two and your licensing system. But these other items are actually pretty simple. Expanding upon the violations for our fix-it tickets so that there are things that do not impose immediate risk for health and safety of children.

Number three is to protect providers from false accusations. And I think probably every provider sitting in this room can agree that that is something to be done. Right now, simply, somebody can pick up a phone, make a call to licensing and say, yeah, they beat my kid. Leave no information, who you are, who your child is, any information. The county is required by law to come out and do an investigation. It's embarrassing for providers, it's a scarlet letter for us. There has to be some accountability for these people that are calling in.

And I'm going to give you a real example here, is when I got divorced. My ex-husband, his sister, and two of his friends called in and made horrible complaints about me at the county. I was a drug dealer, I was a drug addict, I was abusive, and I didn't have proper and complete space. The county had to come up to my home. Two investigators came, searched my home, my entire home looking for these drugs that were nonexistent, and I had to go down and take a urine test, the same place where all the convicts and the probation people get to go. So that was a really great experience for me. Because he was angry, he had been told by a lawyer, he would never get custody of our child because I'm a child care provider. That should never be allowed. It is not okay.

And if you find out—I actually have proof that they did it in writing, there was nothing I could do to them. It should be in my eyes, a felony and I should have been able to sue them in a civil court because I lost four clients over that, which was six kids, more than 50 percent of my income, so this one is huge. This has happened to a lot of providers, not just me. Number four, the homeowners insurance. We're being told, or I actually have been told by the lobbyists for the homeowners insurance, that if you have a liability policy for your business, we're not supposed to be denied getting homeowners insurance. There's nothing in writing about that. There's actually in statute, if you have more than five children, they can deny you homeowners insurance, period.

We're trying to clear this up so that we as providers can get a decent rate on homeowners insurance. When we make a call to get insurance, we're lucky if we can get maybe two quotes. Nobody wants to touch us, nobody wants to give us homeowners insurance, and I'm not—it's hard when—you can't compare apples

to apples, but my home across the street from my neighbor's home which is twice the size, he has the garage in the hall, pays \$400 less a year for his homeowners insurance than I pay for mine, and I have a security system in my home. And the only reason I'm paying that much more than him is because I run a child care that's not fair.

I also carry a \$1 million, \$2 million liability policy on my daycare, which will cover anything that happens in the daycare. We need some relief that, that would give great relief to a lot of providers. Number five is health insurance companies. Right now, if your child falls on my playground and you take him to the ER and you tell them they fell at daycare, health insurance companies won't pay for that bill. You can take that child from school and say he fell on the playground in school and your health insurance company will pay the bill. Providers should not have to be liable for these medical bills when the injury is nothing that we've done, there was no neglect, there was no abuse, anything by the provider. For a child simply falling on a playground and maybe needing a couple of stitches, why are we held financially liable when other programs are not held liable for that?

Number six is a change of requirement for reporting injuries. And as a simple change to require—an injury that requires medical treatment. Right now, with the wording, the way that that it is, is a serious injury is one that is treated by a physician. While you can get a band aid from a physician and it's really not a serious injury. If that injury actually requires treatment, then that's reportable. Streamlining that unnecessary paperwork, that'll be a big one to go through.

Ann: Julie, this is Ann. Can I stop you here because numbers eight through twelve are actually duties number 6 and 7 that we already voted to take up after session. They have to do with training and [inaudible 02:17:39]. Those are not—area one, you have plenty here to chew on.

Julie: You're saying, so 13 to reevaluate Parent Aware?

Ann: That is already on our duty number six.

Julie: Because unfortunately, come June 30th of 2020, you're going to be eliminating pretty much 75 to 80 percent of all child care providers from taking families with scholarships.

Ann: I'm just suggesting that there is one—

Lanay: This is Lanay. If I can chime in here, I'm really certain that's going to be pushed back. We've had conversations about that. Yeah.

Julie: I hope so.

Lanay: Don't quote me on that, but I had a conversation with [inaudible 02:18:19] about that, so that might happen.



Ann: And this is Ann again. I'm sorry, I just got to jump in. Numbers 14 and 15 might come back into the fold, but I would say numbers 8 through 13 is a quick cruise, they're all things that we said we'd be taking up after session.

Participant: That's fine.

Julie: Fourteen is allowing providers own children to go into an unlicensed area of their home, such as their bedroom. If our children's bedrooms are part of the licensed daycare and so they're six-, eight-year-old child is home sick from school, they're not allowed to be in their bedroom during daycare hours. We need to allow our children to be able to go into unlicensed area of the home so that they can stay away from the daycare kids, number one, and it's their home.

Participant: I'm just saying the new rule, let the family member take them to unlicensed areas of the home, so [crosstalk 02:19:09].

Stella: Hollee, I'm sorry, I didn't hear that. Can you please say that?

Holley: Sorry, this is Hollee. I was clarifying for Kim that one of the things in lines eight through thirteen, number eight is that if the person is listed as a substitute, right now, the wording in the current statute that we've changed, that was changed, doesn't clarify that if they're listed as substitute, they could still take their own child to another area of the home. Right now, it's grouped with that training requirement, so that was number eight. Sorry.

Julie: And then number 15 is something that's really coming to a head of steam right now because the fingerprinting is rolled out. We were promised by DHS when they had meetings across the state that there would be fingerprint databases that were going to be open on evenings and weekends. And unfortunately, that is not happening. Providers are actually having to close down their daycare for the day in order to go and get their fingerprints done. I know some counties have chosen to help out and get a couple of the machines and do that and that's great for the counties that there are.

However, we have a lot of our outer-lying counties that that's not happening, and providers are having to drive a two-hour round trip to get fingerprinted and have to shut down their daycare in order to do that. And that was not the promise that was made by DHS to providers. They promised us over and over again that they would have places that were open at times where we could get there without disturbing our families, closing down our daycares, and taking our kids out of school.

Sen. Kiffmeyer: Is that it? I was thinking, duty one and we've heard in all the committee hearings that I sat in on that these kinds of areas are incredibly frustrating to our providers, and it really means a lot to them. And I know to maybe some of you who don't live in that business, you may not feel that so much, but to those who do, it's a big deal. All right. It's 10 to 9:00. The rest of our agenda we have here.

Stella: I'm sorry. This is Stella. So the agenda for closing that we're going to do, Senator Kiffmeyer will do the closing, is that we are working, as I mentioned earlier, on the outline and the interim report with the leadership group. So we're hoping to get some jobs to the Task Force members before our meeting in February so that there's time to react and then also finalize that after a brief meeting. So with that, that's all I have for that. Senator Kiffmeyer, could you please close us?

Sen. Kiffmeyer: Right. One of the things I want to remind you all is the importance of do filling out the feedback form. If you notice they're taken seriously and they're shared at our next meeting, appreciate you're doing that. And then also you have your vendor form that's in there. The best way to do it is fill it out tonight while you're here. Hand it in, and you just have to remember, go back home and figure out how to do that. And if you per chance do take it home, when you fill it out, you could take a photo of it and e-mail it. One thing is if there's any personally identifying information that are on here, remember when you're taking photos, send it by e-mail, which is commonly accepted to do that. And yes, Erin?

Erin: I just have a recommendation. I really appreciated knowing that the meetings, were six months out. Are we going to be able to know that by February when the next meetings are scheduled six months out, so we could plan accordingly? Because I came from out of state, I did appreciate that.

Participant: So it's very likely we're going to follow a similar system. Again, I'll work it out in terms of what might be some potential dates to roll out with the leadership group, too, and then do a poll. Similar to how we did it with a poll with everyone to be able to find dates and times that would work. And then of course, location-wise, if you know of any space that meets the technology and space requirements, we're open to looking at that so that we could get that in a variety of areas that it's not just in the South Metro.

Sen. Kiffmeyer: Okay. Yes, Liz?

Liz: This is Liz. I just have a question. So for the next meeting, if anyone wanted to share documents like Julie did tonight, is that okay? And then is it also—we gave you the documents for you to review for the meetings.

Stella: So one of the items that we had talked about—this is Stella again. One of the items we talked about is final documents. So any documents similar to—is that three to four days. So that's what we heard in the evaluation form. Give us the information, it's hard to be able to contribute or make decisions when I don't have this ahead of time. So we heard that over a couple of times to make sure that we follow that process. So three to four days before the meeting. But then of course, if there's work—I mean, if there's things to be shared or comments to go ahead and send them to me. You don't have to wait until three to four days before the meeting to be able to share that.

Liz: Okay. Thank you.

Sen. Kiffmeyer: And just remember that some of the things that were given to you today that are for next month, you got them a month early. And so they're going to be there for you, in fact, this is in regards to the liability variance issue, alright. Anything else?

Marit: This is Marit speaking. I'm just curious to know, the new information in regards to what was shared by Julie, are there [inaudible 02:25:33] in what we should do with it or just read it and come back next meeting? It seems that there are a lot of new things I'm learning from this, and that will be helpful [inaudible 02:25:43] in the next meeting. So I'm just curious to know what is the expectation around it.

Participant: If any. If none?

Sen. Kiffmeyer: Julie, what would your hope would be for this?

Julie: My hope would be that everybody would look it over and at the next meeting where I'm possibly able to discuss some things and get them into that report to the legislature, so that would be way more than just the variance.

Sen. Kiffmeyer: I think the issue here, Julie, is what about other people who may want to do the same thing, right? I think if you're doing this, then it opens up that we need to allow for others to do so as well, right?

Julie: Yeah. I don't have a problem with that, I was just grabbing the bull by the horns, because I was not feeling we were getting anything done.

Sen. Kiffmeyer: Frustration. We appreciate that. So clarity then, any of you. Julie, you brought it here tonight.

Julie: And I can send it electronically, too, so that if anybody would like it that way, they can get it that way, too.

Sen. Kiffmeyer: So anybody else that has things that you would like to share? I'm much more— I've been an advocate of this in the leadership meetings to say, let you guys come up with your ideas and do some stuff and do things and bring things for us to have that conversation. I feel like we have such a wealth of expertise, the knowledge, and willingness around here, sometimes this group as a whole, it's really hard to move in that regard, but I'm more have that opportunity to do that. And yeah, sometimes it's a little bit messy, but I try and keep my eye on getting some things done, not always, but we'll just do our best.

Participant: Mary, can I have a quick question? For the legislation that we're talking about that Julie brought some copies of, if those bills were heard in committee, can we possibly get that as a resource to help us understand these, what people are talking about with these issues? If we could get some—

Sen. Kiffmeyer: Like what Julie did?

Participant: Yeah. If any of those bills were in committee hearings, it would be helpful to maybe have links to those hearings if we can do that possibly. So the legislation that Julie talked about, the bills she presented, were any of those heard in committee last session?

Participant: Yes.

Participant: So I think it would be helpful for those of us who aren't around and can find that to have links to the committee hearings where those bills are discussed so we can hear from people who are talking about the bill. Maybe that's just me as a legislator, but I think that would be used—

Sen. Kiffmeyer: Great idea.

Participant: —to hear people testifying about these various bills, as we think about whether we want to get them in there.

Sen. Kiffmeyer: There's two things. One, there is what's called author sheet, and the author sheet tracks the bill in the House and the Senate when it was heard, what committee was heard, what dates, who the authors are. It's a one page piece of paper, it's really, really effective to that. And then the second thing you're talking about links to the actual testimony, that's always sometimes a little bit—

Julie: I've linked in the e-mail with this, the links to each of those bills, and that would be within that—

Sen. Kiffmeyer: Some kind of electronic version they could use that to give to that, right? I forgot about that.

Julie: I'm not sure if the links to the bills get you to an actual committee hearing, date and time.

Participant: It's all audio [crosstalk 02:28:59].

Julie: Yeah. I mean, you click on it and it gives you the authors, the committees that I went through, the intros, all that kind of stuff. I guess I haven't searched to see if that's audio.

Sen. Kiffmeyer: What were you asking, Reggie?

Reggie: Well, I was getting back that Representative Wazlawik is actually talking about if these bills were heard in one or more committees, generally there's an audio available or video depending on the type of hearing. So what I thought I heard Representative Wazlawik asking is if in fact these bills advance and had hearings, can you just send the link to the actual series of the hearing, knowing that you might not be able to say, "Oh, yes at minute 47:30 but you'd know the date of the hearing and then people could figure out based on the agenda where the bills are, which I think is different from just the history of the committees that bill went through, and that's easier to track.

Rep. Wazlawik: And I can have my staff work on that. I don't think anyone else should do it, but I think it would be helpful for those who want that extra information if people want to see what folks are saying in support or not support.

Reggie: Thank you.

Sen. Kiffmeyer: And by the way, having those hearings and listening to that conversation, the debate is very instructive, we both appreciate that. So with that, we've accomplished what we need to do for today, and thank you everybody for your participation. And with that, we are adjourned.