



ADMINISTRATION FOR
CHILDREN & FAMILIES

330 C Street, S.W., Washington DC 20201 | www.acf.hhs.gov

APR 12 2019

Tony Lourey, Commissioner
Minnesota Department of Human Services
444 Lafayette Road
Saint Paul, Minnesota 55155

Dear Commissioner Lourey:

The Office of Child Care (OCC) has completed its review and is accepting the submission of your Corrective Action Plan (CAP) for Minnesota's conditionally approved Child Care and Development Fund (CCDF) Plan for FY2019 - FY2021. Please note that this acceptance does not constitute approval for purposes of determining compliance. Your CAP covers the following provisions of the CCDF regulations.

- **Consumer and Provider Education (45 CFR 98.33)**
- **Eligibility Determination Processes (45 CFR 98.21)**
- **Priority for Child Care Services (45 CFR 98.46)**
- **Requirements and Services for Children Experiencing Homelessness (45 CFR 98.41(a)(1)(i)(C) and 45 CFR 98.51)**
- **Equal Access (45 CFR 98.45)**
- **Health and Safety Requirements – Standards (45 CFR 98.41)**
- **Health and Safety Requirements – Training (45 CFR 98.44)**
- **Enforcement of Licensing and Health and Safety Requirements (45 CFR 98.42)**

Full implementation of all provisions in the Child Care and Development Block Grant (CCDBG) Act of 2014 and the Final Rule was required no later than September 30, 2018, unless the State or Territory received approval for a waiver for specific background check requirements. Any State or Territory that has not met Plan requirements by September 30, 2019, regardless of the length of time indicated in your CAP, may be subject to penalty.

This letter serves as Minnesota's preliminary notice of non-compliance pursuant to 45 CFR 98.91(a)(2) and notification of the OCC's intent to apply a penalty. This penalty will be up to four percent of the CCDF Discretionary funds under 45 CFR 98.92(b)(2)(i) and up to five percent of the CCDF Discretionary funds under 45 CFR 98.92(b)(4)(i). States will be subject to this notice of non-compliance until a Plan Amendment is approved demonstrating compliance with the CCDF requirements.

Please provide a written response to this notice, via an upload in the ACF-118 system, as part of your quarterly report due by the end of April 2019. A written quarterly report is also due by the end of July 2019, via an upload in the ACF-118, if you have not submitted a Plan Amendment to demonstrate compliance by then. If you are able to meet the required background check milestones by September 30, 2019, you will be eligible for a time-limited waiver for any remaining background check requirements until September 30, 2020. States and Territories that have not met the Plan requirements by September 30, 2019, will receive final notice of non-compliance in early FY2020 and will be subject to the penalty taken in the following fiscal year (FY 2021), which begins October 1, 2020 (45 CFR 98.92(b)(2)(ii)).

We look forward to our continued partnership in the administration of your CCDF program. If you have any questions or need further assistance, please feel free to contact Gena Miller, OCC Regional Program Manager, (312) 353-3270 or gena.miller@acf.hhs.gov.

Sincerely,



Shannon Christian
Director
Office of Child Care

cc: Cindi Yang, Director, Child Care Services Division, Minnesota Department of Human Services
Gena Miller, OCC Regional Program Manager, Region V
Kathy Edler, Regional Liaison, Office of Child Care