

## Memo

**Date:** 05/11/2020

**To:** Child foster residence setting authorized agents

**From:** DHS Licensing

### **RE: Additional waivers to certain licensing requirements during COVID-19 pandemic**

On May 8, 2020, the Commissioner of Human Services announced additional waivers to certain child foster licensing requirements during the COVID-19 pandemic. These changes are effective May 8, 2020, and are anticipated to be for the duration of the peacetime emergency.

#### **New requirement for programs operating during the peacetime emergency**

1. During the peacetime emergency, license holders are required to be familiar with [Minnesota Department of Health \(MDH\)](#) and [Centers for Disease Control and Prevention \(CDC\)](#) guidelines on COVID-19. This is an ongoing requirement, as the guidance will evolve during the pandemic. DHS will communicate current guidance and any updated guidance via email and on the DHS website directly to licensed foster residence settings and to county and private agency licensors who are expected to share this guidance with family foster care providers. If a person receiving services or the license holder, a household member, caregiver, or staff person has symptoms of COVID-19, the license holder must follow the MDH and CDC guidelines specific to the situation and program capabilities. In addition, if any of these individuals tests positive for COVID-19, the license holder must notify MDH and the county or private licensing agency and follow any guidance provided by MDH.

#### **Modifications of certain licensing requirements for child foster care**

1. **Child foster residence setting staffing: Minnesota Rules, part 2960.3220, subp. 5**  
Staff must be 18 years of age or older. Providers are not required to request a variance from the county in order to have staff younger than 21 years of age work in the program.
2. **Orientation training (child foster residence setting): Minnesota Rules, part 2960.3210, subp. 1**  
Orientation training may be condensed to less than six hours. At a minimum, training must include emergency procedures and maltreatment reporting requirements, and as required in Minnesota Statutes, 245A.144, for foster care providers caring for infants or children through

five years of age, training on reducing the risk of sudden unexpected infant death and abusive head trauma. This training is available online. All staff in a foster residence setting must continue to complete two hours of mental health training, as required in Minnesota Statutes, 245A.175.

Reminder: orientation training does not have to be completed in-person. Training on reducing the risk of sudden unexpected infant death and abusive head trauma may be found online. An alternative format (video chats, phone calls, etc.) may be used to meet the remaining orientation requirements.

**3. Mental health training: Minnesota Statutes, section 245A.175**

At least one license holder in the home must complete two hours of mental health training prior to the nonemergency placement of a child in a foster care home. The requirement for all staff providing care in foster residence settings to complete this training is unchanged. This training is available online.

**4. Child passenger restraint systems training: Minnesota Statutes, section 245A.18, Subd. 2**

Due to limited availability of the in-person training, license holders, staff persons, and caregivers that transport a child under eight years old in a motor vehicle are not required to complete the training on child passenger restraint systems in motor vehicles during the peacetime emergency. Instead, before transporting a child under eight years old in a motor vehicle, license holders, staff persons, and caregivers who have not already had the in-person training must review online information on the federal National Highway Traffic Safety Administration website (<https://www.nhtsa.gov/equipment/car-seats-and-booster-seats#install-instructions>) and watch the “how to choose the right seat” video, as well as car seat installation instruction videos for each type of car seat they will be using based on the age and size of the child/children they are transporting.

Reminder: Child Passenger Restraint Training has been extended for currently licensed child foster care programs.