Family Child Care Licensing: End of COVID-19 peacetime emergency

In spring 2020, the Commissioner of Human Services temporarily modified certain requirements for licensed family child care in order to give providers more flexibility to operate in a pandemic and focus on critical health and safety measures. On June 30, the Minnesota Legislature voted to end the state peacetime emergency effective Thursday, July 1, 2021, at 11:59 p.m. This means that some temporary modifications put in place during the COVID-19 peacetime emergency will be ending immediately while other modifications will end on August 30, 2021. The legislature only allowed DHS to extend some of the waivers for 60 days beyond the end of the peacetime emergency, after which providers must return to following licensing requirements as provided in rule and statute.

Effective immediately on July 2, 2021

1. Following COVID-19 guidance from the Minnesota Department of Health (MDH) and the Centers for Disease Control and Prevention (CDC) is no longer a licensing requirement. Because children under age 12 are not yet eligible to be vaccinated, DHS recommends that providers continue to follow guidance from MDH and the CDC.
2. Providers are no longer expected to deviate from licensing requirements in order to follow the more restrictive guidelines from MDH and/or CDC. For example, if you were using an alternative cleaning product due to limited availability of supplies, you need to return to using products that comply with licensing standards.
3. Providers are no longer required to update and use a COVID-19 preparedness plan, however, providers may find their plan to be a useful resource in the event a child tests positive for COVID-19.
4. Licensors will begin issuing fix-it tickets for qualifying violations.

Starting on August 31, 2021 (60 days after the end of the peacetime emergency)

Effective August 31, 2021, your program must be fully compliant with all relevant statutes and rules, including the following previously waived requirements that have not otherwise expired:

1. Licensors will transition back to conducting in-person, unannounced visits for licensing reviews.
2. Licenses will no longer be extended for an additional three months. Licensors will transition back to conducting licensing reviews on their normal schedule. Please contact your licensor if you have questions.
3. Providers who temporarily cared for up to 8 children under school age must transition back to their prepandemic enrollment, to align with their license capacity. If you would like to continue to care for up to 8 children under school age, including no more than 3 children who are infants or toddlers (only 2 may be infants), please reach out to your licensor for your options.
4. Instead of obtaining immunization records within 30 days of a child’s first date of attendance, providers must return to collecting records prior to admission.

5. Health and Safety I and II and active supervision training will no longer be a substitute for Supervising for Safety. Applicants and new adult caregivers who are required to complete Supervising for Safety must take that course.

6. Child passenger restraint systems (CARS) training:

   - **Individuals who need initial CARS training after August 30, 2021**: Beginning on August 31, 2021, all individuals who need to complete CARS training for the first time must meet the CARS training requirements outlined in Minnesota Statutes, section 245A.50.

   - **Individuals who needed CARS training during the peacetime emergency or 60 day waiver off-ramp period (through August 30, 2021)**: Individuals who completed the online CARS training, as allowed by the waiver, must come into full compliance with the requirements of Minnesota Statutes, section 245A.50 and complete in-person training by their next license renewal or December 31, 2021, whichever date is later.

   - **Existing license holders, second adult caregivers, substitutes, and helpers whose training expired during the peacetime emergency or 60 day waiver off-ramp period (through August 30, 2021)**: Individuals whose training expired during the peacetime emergency must come into full compliance with the requirements of Minnesota Statutes, section 245A.50 and complete in-person training by their next license renewal or December 31, 2021, whichever date is later.