

Transition of child care center certification requirements from Minnesota Statutes, chapter 245H to Minnesota Statutes, chapter 142C

In anticipation of family child care and child care center licensing, child care center certification, and child foster care licensing moving to the new Department of Children, Youth, and Families (DCYF) next year, the 2024 legislature made technical changes to many parts of statute. Existing licensing and certification standards currently found in Minnesota Statutes, chapter 245A and chapter 245H are moving to new Minnesota Statutes chapters 142B (licensing) and 142C (certification). Requirements found in Minnesota Rules are not moving. The new statute locations will be effective after child care licensing, child care certification, and child foster care licensing transfer from the Department of Human Services (DHS) to DCYF next year (anticipated June 2025). The licensing and certification requirements remain the same, only the location of where to find them is changing. This document outlines where requirements are currently found and where they will be found in the new chapter of statute.

Certification requirements for certified child care centers

142C section heading Effective after the transfer to DCYF (anticipated June 2025)	Subdivision heading	245H section heading Effective until the transfer to DCYF (anticipated June 2025)
142C.01 Definitions.	Subd. 1. Scope.	245H.01, subd. 1
142C.01 Definitions.	Subd. 2. Applicant.	245H.01, subd. 2
142C.01 Definitions.	Subd. 3. Authorized agent.	245H.01, subd. 2a
142C.01 Definitions.	Subd. 4. Center operator or program operator.	245H.01, subd. 3

142C section heading Effective after the transfer to DCYF (anticipated June 2025)	Subdivision heading	245H section heading Effective until the transfer to DCYF (anticipated June 2025)
142C.01 Definitions.	Subd.5. Certification holder.	245H.01, subd. 4
142C.01 Definitions.	Subd. 6. Certified license-exempt child care center.	245H.01, subd. 5
142C.01 Definitions.	Subd. 7. Disinfecting.	245H.01, subd. 6
142C.01 Definitions.	Subd. 7a. Infant.	MN Laws 2024, chapter 115, article 19, section 15
142C.01 Definitions.	Subd. 7b. Preschooler.	MN Laws 2024, chapter 115, article 19, section 16
142C.01 Definitions.	Subd. 7c. School-age child.	MN Laws 2024, chapter 115, article 19, section 17
142C.01 Definitions.	Subd. 8. Staff person.	245H.01, subd. 8
142C.01 Definitions.	Subd. 9. Substitute.	245H.01, subd. 7
142C.01 Definitions.	Subd. 9a. Toddler.	MN Laws 2024, chapter 115, article 19, section 18
142C.01 Definitions.	Subd. 10. Unsupervised volunteer.	245H.01, subd. 9
142C.02 Who Must Be Certified.	None.	245H.02
142C.03 Application Procedures.	Subd. 1. Schedule.	245H.03, subd. 1
142C.03 Application Procedures.	Subd. 2. Application submission.	245H.03, subd. 2

142C section heading Effective after the transfer to DCYF (anticipated June 2025)	Subdivision heading	245H section heading Effective until the transfer to DCYF (anticipated June 2025)
142C.03 Application Procedures.	Subd. 3. Incomplete applications.	245H.03, subd. 3
142C.03 Application Procedures.	Subd. 4. Reconsideration of certification denial.	245H.03, subd. 4
142C.03 Application Procedures.	Subd. 5. Notification required.	245H.03, subd. 5
142C.04 Commissioner's Right of Access.	None.	245H.04
142C.05 Monitoring and Inspections.	None.	245H.05
142C.06 Correction Order.	Subd. 1. Correction order requirements.	245H.06, subd. 1
142C.06 Correction Order.	Subd. 2. Reconsideration request.	245H.06, subd. 2
142C.06 Correction Order.	Subd. 3. Decertification following a correction order.	245H.06, subd. 3
142C.07 Decertification.	Subd. 1. Generally.	245H.07, subd. 1
142C.07 Decertification.	Subd. 2. Reconsideration of decertification.	245H.07, subd. 2
142C.07 Decertification.	Subd. 3. Decertification due to maltreatment.	245H.07, subd. 3
142C.07 Decertification.	Subd. 4. Decertification due to revocation of child care assistance.	245H.07, subd. 4

142C section heading Effective after the transfer to DCYF (anticipated June 2025)	Subdivision heading	245H section heading Effective until the transfer to DCYF (anticipated June 2025)
142C.08 Staffing Requirements.	Subd. 1. Staffing requirements.	245H.08, subd. 1
142C.08 Staffing Requirements.	Subd. 2. Director qualifications.	245H.08, subd. 2
142C.08 Staffing Requirements.	Subd. 3. Staff qualifications.	245H.08, subd. 3
142C.08 Staffing Requirements.	Subd. 4. Maximum group size.	245H.08, subd. 4
142C.08 Staffing Requirements.	Subd. 5. Ratios.	245H.08, subd. 5
142C.09 Background Studies.	None.	245H.10
142C.10 Reporting.	None.	245H.11
142C.11 Health and Safety Requirements.	Subd. 1. Exclusion of sick children and infectious disease outbreak control.	245H.13, subd. 1
142C.11 Health and Safety Requirements.	Subd. 2. Immunizations.	245H.13, subd. 2
142C.11 Health and Safety Requirements.	Subd. 3. Administration of medication.	245H.13, subd. 3
142C.11 Health and Safety Requirements.	Subd. 4. Preventing and responding to allergies.	245H.13, subd. 4
142C.11 Health and Safety Requirements.	Subd. 5. Building and physical premises; free of hazards.	245H.13, subd. 5
142C.11 Health and Safety Requirements.	Subd. 6. Transporting children.	245H.13, subd. 6

142C section heading Effective after the transfer to DCYF (anticipated June 2025)	Subdivision heading	245H section heading Effective until the transfer to DCYF (anticipated June 2025)
142C.11 Health and Safety Requirements.	Subd. 7. Risk reduction plan.	245H.13, subd. 7
142C.11 Health and Safety Requirements.	Subd. 8. Required policies.	245H.13, subd. 8
142C.11 Health and Safety Requirements.	Subd. 9. Behavior guidance.	245H.13, subd. 9
142C.11 Health and Safety Requirements.	Subd. 10. Supervision.	245H.13, subd. 10
142C.12 Training Requirements.	Subd. 1. First aid and cardiopulmonary resuscitation.	245H.14, subd. 1
142C.12 Training Requirements.	Subd. 2. Sudden unexpected infant death.	245H.14, subd. 2
142C.12 Training Requirements.	Subd. 3. Abusive head trauma.	245H.14, subd. 3
142C.12 Training Requirements.	Subd. 4. Child development.	245H.14, subd. 4
142C.12 Training Requirements.	Subd. 5. Orientation.	245H.14, subd. 5
142C.12 Training Requirements.	Subd. 6. In-service training.	245H.14, subd. 6
142C.12 Training Requirements.	Subd. 7. Documentation.	245H.14, subd. 7
142C.13 Emergency Preparedness.	Subd. 1. Written emergency plan.	245H.15, subd. 1
142C.13 Emergency Preparedness.	Subd. 2. Staff person training.	245H.15, subd. 2

142C section heading Effective after the transfer to DCYF (anticipated June 2025)	Subdivision heading	245H section heading Effective until the transfer to DCYF (anticipated June 2025)
142C.14 Personnel Record.	None.	245H.16
142C.15 Certification Standards; Stakeholder Consultation.	None.	245H.17
142C.16 Parental Access.	None.	245H.18
142C.17 Prone Restraint Prohibition.	None.	245A.211
142C.18 Children’s Records.	None.	MN Laws 2024, chapter 115, article 19, section 2