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State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1548

02/21/2019 Authored by Albright, Heintzman, Zerwas, Kresha and Franson
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act

1.2 relating to human services; modifying child care assistance provider payments;
1.3 amending Minnesota Statutes 2018, sections 119B.09, subdivision 7; 119B.13,
1.4 subdivision 6.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 119B.09, subdivision 7, is amended to read:

1.7 Subd. 7. **Date of eligibility for assistance.** (a) The date of eligibility for child care
1.8 assistance under this chapter is the later of the date the application was received by the
1.9 county; the beginning date of employment, education, or training; the date the infant is born
1.10 for applicants to the at-home infant care program; or the date a determination has been made
1.11 that the applicant is a participant in employment and training services under Minnesota
1.12 Rules, part 3400.0080, or chapter 256J.

1.13 (b) Payment ceases for a family under the at-home infant child care program when a
1.14 family has used a total of 12 months of assistance as specified under section 119B.035.
1.15 Payment of child care assistance for employed persons on MFIP is effective the date of
1.16 employment or the date of MFIP eligibility, whichever is later. Payment of child care
1.17 assistance for MFIP or DWP participants in employment and training services is effective
1.18 the date of commencement of the services or the date of MFIP or DWP eligibility, whichever
1.19 is later. Payment of child care assistance for transition year child care must be made
1.20 retroactive to the date of eligibility for transition year child care.

1.21 (c) Notwithstanding paragraph (b), payment of child care assistance for participants
1.22 eligible under section 119B.05 may only be made retroactive for a maximum of six three
1.23 months from the date of application for child care assistance.

2.1 **EFFECTIVE DATE.** This section is effective for applications processed on or after
2.2 July 1, 2019.

2.3 Sec. 2. Minnesota Statutes 2018, section 119B.13, subdivision 6, is amended to read:

2.4 **Subd. 6. Provider payments.** (a) The provider shall bill for services provided within
2.5 ten days of the end of the service period. Payments under the child care fund shall be made
2.6 within 21 days of receiving a complete bill from the provider. Counties or the state may
2.7 establish policies that make payments on a more frequent basis.

2.8 (b) If a provider has received an authorization of care and been issued a billing form for
2.9 an eligible family, the bill must be submitted within ~~60~~ 30 days of the last date of service
2.10 on the bill. A bill submitted more than ~~60~~ 30 days after the last date of service must be paid
2.11 if the county determines that the provider has shown good cause why the bill was not
2.12 submitted within ~~60~~ 30 days. Good cause must be defined in the county's child care fund
2.13 plan under section 119B.08, subdivision 3, and the definition of good cause must include
2.14 county error. Any bill submitted more than a year after the last date of service on the bill
2.15 must not be paid.

2.16 (c) If a provider provided care for a time period without receiving an authorization of
2.17 care and a billing form for an eligible family, payment of child care assistance may only be
2.18 made retroactively for a maximum of ~~six~~ three months from the date the provider is issued
2.19 an authorization of care and billing form.

2.20 (d) A county or the commissioner may refuse to issue a child care authorization to a
2.21 licensed or legal nonlicensed provider, revoke an existing child care authorization to a
2.22 licensed or legal nonlicensed provider, stop payment issued to a licensed or legal nonlicensed
2.23 provider, or refuse to pay a bill submitted by a licensed or legal nonlicensed provider if:

2.24 (1) the provider admits to intentionally giving the county materially false information
2.25 on the provider's billing forms;

2.26 (2) a county or the commissioner finds by a preponderance of the evidence that the
2.27 provider intentionally gave the county materially false information on the provider's billing
2.28 forms, or provided false attendance records to a county or the commissioner;

2.29 (3) the provider is in violation of child care assistance program rules, until the agency
2.30 determines those violations have been corrected;

2.31 (4) the provider is operating after:

2.32 (i) an order of suspension of the provider's license issued by the commissioner;

3.1 (ii) an order of revocation of the provider's license; or

3.2 (iii) a final order of conditional license issued by the commissioner for as long as the

3.3 conditional license is in effect;

3.4 (5) the provider submits false attendance reports or refuses to provide documentation

3.5 of the child's attendance upon request; or

3.6 (6) the provider gives false child care price information.

3.7 (e) For purposes of paragraph (d), clauses (3), (5), and (6), the county or the commissioner

3.8 may withhold the provider's authorization or payment for a period of time not to exceed

3.9 three months beyond the time the condition has been corrected.

3.10 (f) A county's payment policies must be included in the county's child care plan under

3.11 section 119B.08, subdivision 3. If payments are made by the state, in addition to being in

3.12 compliance with this subdivision, the payments must be made in compliance with section

3.13 16A.124.

3.14 **EFFECTIVE DATE.** This section is effective for billing forms submitted on or after

3.15 July 1, 2019.