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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1680

02/25/2019 Authored by Demuth, Heintzeman, West, Albright and Franson
The bill was read for the first time and referred to the Early Childhood Finance and Policy Division

1.1 A bill for an act
1.2 relating to human services; clarifying child care assistance program record-keeping
1.3 requirements; amending Minnesota Statutes 2018, section 119B.125, subdivision
1.4 6.

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

1.6 Section 1. Minnesota Statutes 2018, section 119B.125, subdivision 6, is amended to read:

1.7 Subd. 6. **Record-keeping requirement.** (a) All providers receiving child care assistance
1.8 payments must keep daily attendance records at the site where services are delivered for
1.9 children receiving child care assistance and must make those records available immediately
1.10 to the county or the commissioner upon request. Attendance records that are not immediately
1.11 made available to the county or the commissioner upon request are not valid for purposes
1.12 of establishing proof that a child was present during the time period in question.

1.13 (b) The attendance records must be completed daily and include the date, the first and
1.14 last name of each child in attendance, and the times when each child is dropped off and
1.15 picked up. To the extent possible, the times that the child was dropped off to and picked up
1.16 from the child care provider must be entered by the person dropping off or picking up the
1.17 child.

1.18 (c) The daily attendance records must be retained at the site where services are delivered
1.19 for six years after the date of service.

1.20 (d) A county or the commissioner may deny authorization as a child care provider to
1.21 any applicant, rescind authorization of any provider, or establish an overpayment claim in
1.22 the system against a current or former provider, when the county or the commissioner knows

2.1 or has reason to believe that the provider has not complied with the record-keeping
2.2 requirement in this subdivision.

2.3 (e) If an attendance record is found to be insufficient to support the information submitted
2.4 on a billing form, a county or the commissioner may establish an overpayment claim in the
2.5 system against a current or former provider, regardless of whether a child was eligible for
2.6 an absent day payment under section 119B.13, subdivision 7.

2.7 (f) A provider's failure to produce attendance records as requested on more than one
2.8 occasion constitutes grounds for disqualification as a provider.