

Child Care Provider Responsibilities and Rights

Your responsibilities

All CCAP providers:

- You must complete and return all forms promptly to the county.
- You must notify the county immediately of any changes to the information submitted on your registration form.
- You must keep attendance records for Child Care Assistance Program (CCAP) children for six years and make them available to the county immediately upon request.
- You must keep records of family copayments that are waived by you or paid to you by a third party.
- You must complete a new W-9 form each year.
- You must be authorized as a CCAP provider and receive a service authorization for a family before payment can be made for care you provide.
- You cannot charge CCAP families more than non-CCAP families for like services.
- Wrongfully obtaining child care assistance will be investigated and may lead to your disqualification from caring for CCAP children and may be charged as a crime.
- You must give parents unlimited access to their children and to the provider who cares for their children during all hours the children are in care.
- You must notify the county when a child or children have been absent for more than seven days in a row, when child care has ended, and when you believe that child care will be ending.
- You must report any maltreatment of minors as required in Minnesota Statutes, section 626.556.

Additional responsibilities for legal non-licensed providers:

- You must be in compliance with state and local health ordinances and building and fire codes applicable to the premises where child care is provided.
- You must be eligible to provide legal non-licensed care under Minnesota Statutes, section 245A.03.
- Legal non-licensed family child care providers and their household members 13 years of age or older must undergo a background study to determine if anyone meets a factor listed in Minnesota Statutes, section 119B.125, subdivision 2, that prevents authorization of a legal non-licensed family child care provider.

- You must obtain immunization records for each child in care within 90 days of the child starting care and update the records with information from the family.
- You must complete the registration process, including the background study, every two years. You also must complete the registration process when a household member reaches the age of 13; when there are any changes in your situation; and when you have not provided care for a CCAP family for more than two years and want to start providing CCAP care again.
- Legal non-licensed family child care providers are considered the primary care provider at the listed site. They are responsible for all care provided at that site and must be present during the hours care is provided.

Penalty warning

If you become a child care provider for a family receiving child care assistance, you must follow these rules. Do not give false information or hide information:

- To become or to continue to be a child care provider for a family receiving child care assistance
- To get or to continue to get payment from the child care assistance program
- To help someone else to get or to continue to get child care assistance payments that they are not eligible to get.

The State may bar a person who breaks any of these rules from being paid as a child care provider for a family receiving child care assistance. The bar lasts one year for the first fraud, two years for the second fraud, and is permanent for the third fraud. The maximum penalty is a fine of \$100,000 or a jail term of 20 years or both.

Your rights

Your right to privacy

Your private information, including your health information, is protected by state and federal laws. The county has given you a “Notice of Privacy Practices” information sheet. Please read it carefully. This sheet explains:

- Your privacy rights;
- How we may use the health and other private information;
- Who we can share this information with and
- How you can get access to this information.

How we use information

Our public assistance staff and other agencies the law allows will use the information to see if you can be authorized as a provider for a family receiving child care assistance. We will also use it to make payments for care provided by you. The “Notice of Privacy Practices” that was sent with the authorization packet explains who we can share this information with. If you stop caring for children from families receiving child care assistance, we will keep your information until federal, state and county rules let us destroy it.

Your right to see information

You may review all of the information we get about you, except for information that is legally classified as “confidential.” (Confidential information is information such as certain psychological or medical evaluations, records which agencies use to prosecute a crime, etc. Agencies cannot share it with the person it affects.) You have the right to disagree with information that you think is wrong. For more information about your data privacy rights, ask the county.

Your right to appeal

If you are charged with an overpayment, you may appeal the overpayment to a state referee. You must appeal within 30 days from the date you received the notice of overpayment by sending a letter saying you do not agree with the overpayment. You can send this letter to the county agency or directly to the State Appeals Office at the Minnesota Department of Human Services, PO Box 64941, St. Paul, MN 55164-0941. (If you show good cause for not appealing within 30 days, the agency can accept your appeal for up to 90 days from the date you receive the notice).

If you are unhappy with any other action taken, you may appeal to district court.

Your right to notice from the county

Except in cases involving alleged child abuse by a provider or a complaint that the health and safety of a child in care is in imminent danger, the county must give you at least a 15-day written notice of the following events:

- Termination of a family’s child care assistance;
- Reduction in a family’s authorized hours of care;
- Increase in a family’s copayment fee;
- Any determination that you are ineligible to provide care under Child Care Assistance Program (CCAP).

The county may deny CCAP payments to a provider immediately without complying with the 15-day

notice requirement in cases of alleged child abuse by a provider, a complaint that the health and safety of a child in care is in imminent danger, or when the county knows a provider or child care arrangement is unsafe.

Your right to notice from a parent

Except in cases involving alleged child abuse by a provider or a complaint that the health and safety of a child in care is in imminent danger, a parent must give you at least a 15-day notice of the intent to end care. In cases involving alleged child abuse by a provider or a complaint that the health and safety of a child in care is in imminent danger, a parent may end care immediately without complying with the 15-day notice requirement.

Your right to file a complaint

If you feel the county or the Minnesota Department of Human Services treated you differently in the handling of a public assistance application or payment because of race, color, national origin, political beliefs, religion, creed, sex, sexual orientation, public assistance status, age or disability (including access to buildings or programs), you may file a complaint with one or more of these agencies:

State agencies

Minnesota Department of Human Services
Office for Equal Opportunity
PO Box 64997
St. Paul, MN 55164-0997
(651) 431-3040 (Voice)
(651) 431-3041 (TTY/TDD)

Minnesota Department of Human Rights
90 East 5th Street, Suite 700
St. Paul, MN 55101
(800) 657-3704 (Voice)
(651) 296-1283 (TTY/TDD)

Federal agencies

U.S. Department of Health and
Human Services
Office for Civil Rights, Region V
233 North Michigan Avenue, Suite 240
Chicago, IL 60601
(312) 886-2359 (Voice)
(312) 353-5693 (TTY/TDD)

This information is available in other forms to people with disabilities by calling your county worker. For TTY/TDD users, contact your county worker through the Minnesota Relay at 711 or (800) 627-3529. For the Speech-to-Speech Relay, call (877) 627-3848.