



LICENSING LINK

2013 NEW LEGISLATIVE CHANGES

Effective July 1, 2013, Reduction of Risk of Sudden Unexpected Infant Death in Licensed Programs per Minnesota Statutes, section 245A.1435 amends as follows:

- Changes terminology from Sudden Infant Death Syndrome (SIDS) to Sudden Unexpected Infant Death (SUID)
- Requires a physician directive on a form approved by the commissioner (Department of Human Services-DHS) for an infant to be placed in an alternative sleep position, other than on the infant's back. Parent Directive for infant sleep position is no longer permissible.
 - Allows a provider to let an infant who independently rolls over on its stomach after being placed to sleep on its back to remain sleeping on its stomach if the infant is at least six months old or the license holder has signed statement from the parent that the infant regularly rolls over at home.
 - Clarifies that an infant must be placed to sleep in an approved crib / pack n play, directly on a firm mattress with a fitted sheet that is appropriate to the mattress size, and that the sheet must fit tightly on the mattress and overlap the underside of the mattress so it cannot be dislodged by pulling on the corner of the sheet with reasonable effort.
- Requires that nothing may be placed in the crib with the infant except the infant's pacifier. Do not use pillow, blankets, sheepskins, or crib bumper.
- Clarifies the age of an infant for purpose of this section as younger than one year of age.
- Clarifies that if an infant falls asleep before being placed in a crib, e.g., in a stroller, car seat, carrier, while being held, the infant must be moved to a crib as soon as practical-but until then, the infant must be kept within the sight of the license holder, and not be in a position where the infant's airway may be blocked or the infant's face is covered.
- Clarifies that when an infant falls asleep while being held, the provider must consider the supervisions needs of the other children in care when determining how long to hold the infant before placing in a crib to sleep.



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**Scott County
Child Care Licensing**

Summer September, 2013

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- Addresses Swaddling infants during sleep. Swaddling is not recommended for an infant of any age and is prohibited for any infant who has begun to roll over independently. However, with informed written consent of a parent or guardian, on a form provided by the commissioner (DHS) and prepared in partnership with the Minnesota Sudden Death Center, swaddling is allowed on an infant who has not yet begun to roll over on its own as long as the infant is placed down to sleep on their back in a one-piece swaddling sleeper equipped with an attached system that fastens securely only across the upper torso, with no constriction of the hips or legs.
- Changes terminology from Shaken Baby Syndrome (SBS) to Abusive Head Trauma (AHT).

Family Child Care Diapering Area Disinfection:

Effective July 1, 2013 a new provision, Minnesota Statutes, section 245A.1446, family child care diapering area disinfection clarifies that bleach used for disinfecting the diaper changing surfaces must be mixed according to label instructions for disinfection. Also allows for the use of surface disinfectants other than bleach if the manufacturer's label or instructions state that the product is registered with the United States Environmental Protection Agency, is effective against certain bacteria with a 10 minutes or less contact time, has clear directions for mixing and use, is used according to manufacturer's directions, and does not contain Triclosan or its derivatives. Also clarifies language consistent with the label directions to clean a child diapering area. (more information on new bleach concentration continues on page 4)

+++Variance is no longer needed, as long as bleach alternative is approved by Scott County Child Care Licensing

Family Child Care Infant Sleep Supervision:

Effective July 1, 2013 a new provision, Minnesota Statutes, section 245A.147, family child care infant sleep supervision requirements encourages family child care providers to monitor sleeping infants by conducting in-person checks every 30 minutes, and every 15 minutes during the first four months of care or if the infant has an upper respiratory infection. In addition to in-person checks, providers are encouraged to use an audio or visual monitoring device to monitor each sleeping infant in care during all hours of sleep.

Family Child Care License Holder Insurance:

Effective July 1, 2013 new statutory provision, Minnesota Statutes, section 245A.152, child care license holder insurance, enhances insurance notification requirements for family child care. License holders must provide written notice to all parents or guardians prior to admission stating whether the license holder has liability insurance. If the provider has liability insurance, parents must be informed in writing that the certificate of coverage is available for inspection and the expiration or renewal date of the policy. Upon expiration of the policy, the provider must provide a new written notification indicating whether the policy has lapsed or the policy has been renewed. If the policy was renewed, the license holder must provide the new expiration date in writing to parents and guardian.

If the license holder does not have liability insurance, the license holder must provide an annual notice to parents and guardians, on a form developed and made available by the commissioner (DHS), that the license holder does not carry liability insurance. The license holder must immediately notify all parents and guardians in writing of any change in insurance status; must make available upon request the certificate of liability insurance to the parents of children in care, to the commissioner, and to county licensing agents.

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The license holder must document, with the signature of the parent or guardian, that the parent or guardian received the notices required by this section.

To coincide with the 2013 Legislative changes, the following 5 forms have been updated by DHS. A copy of these forms are attached to this newsletter for those providers who receive their newsletter via mail. For other providers who receive their newsletter via email, each form is emailed as an attachment.

License holders, please begin using the new forms immediately - First three forms Effective September 1, 2013 and next two forms effective October 1, 2013.

1. Physicians Directive for Alternative Infant Sleep Position. (effective September 1, 2013)
(This new form replaces the previous form "Parent Directive for Alternative Infant Sleep Position").
2. Parental Consent for Swaddling an Infant. (effective September 1, 2013)
Prior to any use of swaddling an infant for sleep by a licensed provider, the license holder must obtain written consent for the use of swaddling from the parent or guardian of the infant. The parent or guardian must demonstrate to the provider how to safely place baby in the swaddle so it is not too tight or too loose. Follow the guidelines stated on this new form.
3. Monthly Crib Safety Inspection and Fire and Drill Log (effective September 1, 2013)
4. Admission and Arrangement Form.
Effective October 1, 2013 the licensed holder needs to use this new form for their current families in care as well as for any new family they enroll in their daycare.
5. Family Child Care Liability Insurance Notice to Parents/Guardians. Effective October 1, 2013 license holder must start using this form.

Providers, you can access these new forms on Scott County Child Care License Website under "Links to DHS Forms" and also on the DHS website: For the DHS website enter the following web address in your address bar http://www.dhs.state.mn.us/id_028228 The forms are located under Forms for Child Care.

***License providers, not using these updated forms may result in a correction order.

New Trainings Requirement: There have been changes in the training requirements. However, the DHS must develop or approve some trainings before the new requirements will go into effect. We will keep you posted when we get clarification from DHS.

REMINDER - TEARS/RIPS IN MESH SIDED CRIBS

Providers, repairs of mesh sided cribs are not allowed. Manufactures of mesh sided cribs do not recommend repairing a mesh crib. Keeping Babies Safe Website has additional information. It states that the mesh weave should be no longer than 1/4 of inch, and should have no tears, holes, loose threads. If a mesh sided crib has been altered, the hole may be gone but now there are loose threads which is not allowed.

Here is the link: [Keeping Babies Safe](http://keepingbabiesafe.org/recalled_products_portable.shtml) or type in the address bar the following:
http://keepingbabiesafe.org/recalled_products_portable.shtml

FRIENDLY REMINDERS

WHEN IN DOUBT, WHO DO YOU CALL?



Child care licensing rules are constantly changing. Over the past year licensed family child care has been negatively portrayed in the news media. Due to this negative publicity numerous legislative proposals have been introduced to further clarify current rules or to enhance the requirements that need to be met in order to maintain a license to provide in-home child care.

Since you have chosen to make licensed child care your profession, it is ultimately your responsibility to know the rules and follow them. Child care licensing has always tried its best to keep you updated of new legislative changes that have been implemented, either via emails, through Scott County Child Care License website or via newsletters. However, we cannot make you read the information provided to you or maintain the information for future references. **We hope that to stay current on what is happening in the child care licensing world, you will take time to read and understand the information provided to you.** That means that even if you are not impacted by a change, i.e. you are not caring for infants at the time, you must still know the changes in the rule regarding it, should you ever decide to care for an infant in the future. The rules/statutes governing licensed family child care must be followed for the health and safety of the children and for your own liability.

If you ever have a question about a rule requirement, **the first person you should talk to is your licensor.** Information has a tendency to be altered when being passed from one person to another. It is important that you communicate with other providers to learn from each other or to share some valuable information, however; **if you have a question about a rule requirement, it is very important that you only talk to your licensor for any clarification.**

Important Information about New Bleach Concentration

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For those of you who use a diluted bleach solution as a sanitizing and disinfecting product in your daycare, the concentration of bleach solution sold in stores has changed. The new bleach solution available in many stores is now 8.25% sodium hypochlorite solution higher than the formerly available bleach solution of 5.25%-6% per National Resource Center for Health and Safety (NRC) in Child Care. Several companies have discontinued manufacturing the 5.25%-6% sodium hypochlorite bleach solution and it will no longer be available in many stores. Providers, please check the concentration of the product that is being used in your program. The NRC recommends that caregivers use only an EPA-registered product and to carefully follow the manufacturer's instructions for diluting the product for sanitizing or disinfecting. The instructions on how to determine this for the EPA-registered product you are using can be found here → [CLICK HERE](http://cfoc.nrckids.org/Bleach/FindingEPAREgInfo.cfm) or type following in address bar: <http://cfoc.nrckids.org/Bleach/FindingEPAREgInfo.cfm>

Excerpt Taken from Tom Copeland

Should You Hire Your Child Who is Age 18 + or Your Husband?

If you pay your own child who is age 18 or older or if you pay your husband to do work for your business you must treat them as your employee. This means withholding Social Security/Medicare taxes and withholding federal and state income taxes. If your child or husband is over age 21 you must also pay federal unemployment tax. Although you can deduct these taxes as a business expense, your child or spouse must report their earnings as income on their IRS Form 1040. Therefore, there is little tax advantage to paying them. If you do hire your own child or spouse you must also keep specific records and file a series of tax forms. The IRS requires you to file [Form 941](#) quarterly or [Form 944](#) annually, [Form W-2](#) and [Form W-3](#). Here is my article ([Hiring Family Members](#)) that spells out the record keeping requirements.

The rules are quite different if you hire your own child who is under age 18. See my previous article: "[How to Hire Your Own Children Under Age 18.](#)"

A warning: Check with your state workers' compensation office to see if you must purchase workers' compensation insurance when hiring family members. Most states will not require this. However, in some states (New York being one that I know of) you must purchase workers' compensation insurance for anyone who is with you when caring for children. This includes volunteers and family members (even if you don't pay them!).

Reasons to Hire

There are a few situations where you may want to consider hiring your own children or your spouse:

- * You want your children to learn the value of work and understand how to manage their own money.
- * You want your children or spouse to earn wages to increase their lifetime Social Security benefits. The more they earn the more they will receive from Social Security.
- * Your family has at least \$1,000 of medical expenses that are not covered by insurance (this includes medical insurance premiums your husband pays at work). If you are in this situation you can establish a medical reimbursement plan (a Section 105 plan) that allows you to deduct 100% of all your uninsured medical expenses as a business deduction. For more information see my articles ([When Hiring Your Husband Makes Sense](#) and [How Can You Deduct Family Medical Expenses?](#)).

Simple Solution

If your children or your spouse are working for you, you are not required to pay them! If you treat this as a personal family matter then there are no tax consequences. You don't have to keep any records or file any tax forms. You can give them money or gifts for their work, but this would be done as a personal transaction. They are helping you and you are helping them because you are family. They wouldn't report as income any money or gifts you gave them and you cannot deduct as a business expense anything you give them. However, be sure to check with your state workers' compensation office to see if you must purchase insurance when they are helping you care for children, even if you aren't paying them as an employee.

Tom Copeland is nation's leading expert on family childcare business issues and deals with issues like daycare contract, taxes, provider/parents conflict, and many more. To find more information go to <http://www.tomcopeland.net/>

MEENA'S CORNER

Winter Hazard Awareness



This warm fall weather shouldn't trick us into thinking it'll stay this balmy forever. Minnesota winter is just waiting around the corner. Don't let cold weather fun snowball into a safety hazard. Keep your children protected with these safety tips.

Outdoor Safety Tips for Adults and Children

While freezing winter temperatures keep many adults indoors, children love to play outdoors all day. Children can weather cold far better than adults can. **Per Child Care Licensing Rule, children need to have outdoor time every day with weather permitting.** With basic winter safety tips, children can enjoy a safe and fun winter while sledding, skating, building snowman or making snow angels. With first winter snow, children are outside building snowman or building snow forts or sledding, but it is up to the grownups to make sure that safety accompanies cold-weather activities. Per Minnesota Department of Public Safety, each year, emergency rooms in the United States treat thousands of children for injuries related to sledding and ice skating. Exposure to cold without protection can result in frostbite.

Basic Safety Tips

- Watch for frostbite, and seek medical attention immediately if symptoms are present
- Drink plenty of fluids
- Avoid overexertion, including when shoveling snow
- Keep yourself and your clothes dry

Dress for the Season

As winter approaches, you want to make sure you are prepared for extreme weather changes. Despite all the fun the winter has to offer, parents and caregivers must take proper precautions so that you and your daycare children are safe from the dangers that come with the cold winter months. Children spend a much longer time exposed to the cold than most grown-ups are willing to do, and that means the first and foremost important tip to keep children safe is that they should be dressed properly. Body heat is lost most quickly through the top of the head, hands and feet, so these areas need special consideration. **For their hand**, knit gloves or glove liners worn under mittens with waterproof outer covers will keep hands protected even in wet snow. **Feet** also need special protection. Provide insulation by using two pairs of socks; using wool socks over a synthetic material would help. Wool will still hold the warmth when wet, unlike cotton and most synthetics. Waterproof boots are excellent for playing in the snow; inexpensive "Moon Boots" with form rubber liners are good for any outdoor play activities except for long walks.

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MEENA'S CORNER

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The head is where the body loses heat the fastest. Always wear a hat or cap on your head since half of your body heat could be lost through an uncovered head. Cover your mouth with scarf to protect your lungs from extreme cold. For the rest of the clothing wear loose, lightweight, warm clothing in several layers. Trapped air between the layers acts as an insulator. Layers can be removed to avoid getting overheated. Exposure to cold without adequate protection can result in serious frostbite. A person can develop this condition and not even realize it if there is prolonged exposure to cold temperature. It is important to watch for many different signs of frostbite because pain is not something that is felt during the early stages. In the beginning, the skin will appear flushed and feel numb. The skin will then turn to a white or grayish color. In extreme cases blisters will form and skin turns black. Cover the affected area with something warm and dry and then get to a doctor as quickly as possible.

Limit the amount of time that infants are outdoors when it is colder than 40 degrees. Infants lose body heat quickly. For older children, set reasonable time limits on outdoor play. Occasionally call children in to warm up.

Safe Sledding / Ice Skating

Winter outdoor activities can be a fun time for children, but it also may be dangerous if parents or caregivers do not follow safety tips while children go out for sledding or tobogganing. Children should never use streets or roads for sledding unless they are blocked off from traffic. Make sure that there is enough runoff room at the bottom of the slope to let the sleds stop well before they approach any street or wall. Use a slope clear of trees, boulders or other obstacles in the sliding path to avoid the possibility of head-on accidents. Children should never sled on icy hills, sledding hills should be covered with only snow. Avoid sledding over snow bumps or anything that may cause the sled to become airborne. An adult should always accompany small children. Sledding equipment should be sturdy and safely constructed. Children should be encouraged to sit up while riding downhill. Lying flat increases the chance of head and abdominal injuries.

For Ice Skating the thickness of the ice is critical. If possible, skate at areas that have been approved and posted for ice-skating. Never skate alone. Children should never be allowed to skate on a pond or on a lake unsupervised. Ice thickness is never consistent on lakes or on ponds. Ice becomes thinner whenever there is movement in the water.

Child Care Licensing Rule states that weather permitting day care children should have outdoor play time everyday regardless of the season. Scott County Child Care License website has added a "Childcare Weather Guidelines" chart under "Provider Information" that will be helpful to decide what is a comfortable and safe temperature for kids to be outside. This is just a guideline and not a rule. If you are not sure whether temperature is too hot or too cold for kids to be outside, please call school in your area to find out if children are allowed outside during recess time or not. Following is "Childcare Weather Guidelines" website link.

<http://www.idph.state.ia.us/hcci/common/pdf/weatherwatch.pdf>



Scott County
Child Care Licensing

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Forever In My Heart

Although I'M not their mother
I care for them each day
I cuddle, sing and read to them
And watch them as they play.
I see each new accomplishment,
I help them grow and learn.
I understand their language,
I listen with concern.
They come to me for comfort,
And I kiss away their tears.
They proudly show their work to me,
I give the loudest cheers!
No, I'm not their mother,
But my role is just as strong.
I nurture them and keep them safe,
Though maybe not for long.
I know someday the time will come,
When we will have to part.
But I know each child I cared for,
Is forever in my heart!



~Author Unknown ~
