

Questions and Answers – August 16, 2023 Webinar

Answers provided by the Child Care Regulation Modernization team.

Abbreviated Inspections Questions

Question: What is an abbreviated inspection?

Answer: Abbreviated inspections are licensing inspections that include a subset of standards known as key indicators, which statistically predict compliance with the entire list of standards. The statistical method for determining key indicators was developed by the National Association for Regulatory Administration (NARA) and has been successfully applied to several states' human services licensing systems.

In addition to the key indicators, abbreviated inspections will also include:

- High-risk rules - licensing standards which have been determined to be essential to include in all inspections, and
- Random rules - a randomly selected set of licensing standards.

Abbreviated inspections combine key indicators, high-risk rules, and random rules to allow for shortened inspections and more time for supporting quality improvement. At the same time, this approach protects the health and safety of those being served.

For more information, see the [NARA Key Indicator Systems for Licensing brief](#).

Question: What is the benefit of having an abbreviated inspection?

Answer: The regulations in abbreviated inspections are focused on high-risk items and items that are predictive of overall compliance, as determined by stakeholder engagement and an analysis of licensing data. Because of this data-driven approach, abbreviated inspections benefit both providers and licensors. For licensors, it allows them to spend less time in eligible programs and more time assisting programs that need additional support. For providers who are eligible for abbreviated inspections, it allows for shorter inspections so they can get back to focusing on their day-to-day operations. For providers who need additional support, it allows them to have more time with their licensor.

Question: Are the “random” set of rules different for each visit? Or will they be the same for all providers? How many random rules will there be?

Answer: The set of “random rules” within abbreviated inspections will be randomly selected for each visit. They are truly random and will change with each inspection. There will be 5 random rules selected for each abbreviated inspection.

Question: Will there be different ELICI checklists for abbreviated inspections?

Answer: Within the Electronic Licensing Inspection Checklist Information (ELICI), there will be an abbreviated checklist available for family child care and child care centers that includes key indicators, high-risk rules, and random rules. Key indicators and high-risk rules are specific to each service type, while random rules will change with each inspection.

Question: For a licenser, will we need to bring a device with us to the abbreviated inspection instead of a paper checklist?

Answer: Yes. Effective July 1, 2023, all county family child care licensers are required to use the Electronic Licensing Inspection Checklist Information (ELICI) to log information collected during a licensing review or investigation ([Chapter 70, Article 8, Section 24](#)). Child care centers licensers are currently using ELICI for licensing inspections. Using ELICI is critical to the success of abbreviated inspections and to keep procedures consistent throughout the state of Minnesota.

Question: Will licensers get trained on how to conduct abbreviated inspections? How will trainings be organized?

Answer: Yes. Before abbreviated inspections are implemented for family child care and child care centers, there will be training led by the National Association for Regulatory Administration (NARA) and the Department of Human Services (DHS) for licensers and informational sessions for providers. Implementation of abbreviated inspections will occur after the [Provider Hub](#) goes live for all child care service types.

More information on training licensers for abbreviated inspections will be shared once finalized. If you would like to get notified of the informational sessions for providers, please sign up for our Listserv:

- [Family child care Listserv](#)
- [Child care center Listserv](#)

Question: What are the eligibility criteria? How many criteria are there?

Answer: The eligibility criteria have not been finalized at this time. Examples of eligibility criteria that other states have used for their abbreviated inspections, which are under consideration, include criteria such as “X number of years since a key indicator or high-risk rule violation” or “X number of years since a substantiated maltreatment complaint finding.” Once the criteria are finalized for each license type, they will be communicated to providers and licensers.

Question: Will I get notified if I am/am not eligible for abbreviated inspections? How will I get notified?

Answer: Providers will be notified that they are receiving an abbreviated inspection at the point that their licenser arrives on site for their annual inspection. If the licensee is eligible for an abbreviated inspection, the licenser will explain the process and initiate the abbreviated inspection checklist. Prior to the licenser arriving on site, the licensee should prepare as if they are receiving their regular inspection.

Weighted Risk System

Question: What is the Weighted Risk System?

Answer: A Weighted Risk System (WRS) helps determine the regulations that pose a greater risk of harm to children if they are violated. There are different ways licensing regulations can be assessed for risk, including probability of harm, severity of harm, and the frequency of violations.

The WRS will assign enforcement actions based on the level of risk that a violation poses. Violations of higher-risk regulations will have a correspondingly higher enforcement action, and low-risk violations will have a lower enforcement action.

For more information and examples of how other states are using a risk assessment approach for their licensing, see [Risk Assessment and Licensing Compliance \(hhs.gov\)](https://www.hhs.gov/risk-assessment-and-licensing-compliance).

Revised Licensing Standards

Question: When rewriting the current standards, what type of experience does NARA have with both family child care and child care center programs?

Answer: The National Association for Regulatory Administration (NARA) has ample experience in numerous states and Canadian provinces.

To see more of what NARA has done in other states and provinces, you can visit the [NARA website](https://www.nara.org/).

Question: What is the process of revising the licensing standards?

Answer: There will be multiple opportunities for stakeholders to weigh in on the revised licensing standards before they are proposed to the legislature for possible legislative action.

First, there is the input that has already been gathered through the October 2022 revised licensing standards survey. A [stakeholder survey report](#) summarizing what was learned from that effort is on the project website.

Second, as of September 2023, DHS is currently in the process of engaging targeted Minnesota stakeholders on specific issues which have been identified as being high-priority areas for reform. During an August 16, 2023, project webinar, stakeholders could see the topic areas which have been identified, and express their interest in

participating in those opportunities, via the [revised licensing standards interest form](#). Please note that due to capacity, not everyone who expresses interest will be able to participate at this phase of the standards revision.

Thirdly, there will be broad public engagement and feedback when Draft 2 of the revised licensing standards is released to the public, tentatively scheduled for Spring 2024. At this point, everyone will have an opportunity to provide feedback, which will include multiple avenues to participate.

Finally, this feedback will be incorporated into a Draft 3 of the licensing standards, which we anticipate will be completed in September of 2024 and presented to the Minnesota legislature for consideration during the 2025 Legislative Session. It will then be in the legislature's hands on how to proceed with the recommended licensing standards. We encourage stakeholders to continue their involvement once the legislature begins considering the proposal.

Question: How does the department determine who can give input on the standards or other components of the project?

Answer: We are open to any and all stakeholder input. You can always contact us at ccregmodernization.DHS@state.mn.us.

Additionally, surveys and outreach for comment have and will continue to go out via email to providers, licensors and those who sign up for our listserv. We will also continue to update our website as the project progresses.

- [Family child care Listserv](#)
- [Child care center Listserv](#)

Miscellaneous

Question: What has DHS done to reach out to racially and culturally diverse groups to ensure their voices are heard?

Answer: We are always striving to include a diverse and representative makeup of stakeholders in our work. The DHS project team has met with some child care organizations representing specific cultural communities, and is open to further engagement. If you have ideas of individuals or organizations we should be engaging to ensure we are hearing from voices that represent the diversity of Minnesota, please email the project team at ccregmodernization.DHS@state.mn.us.

Question: How are other languages or accommodations handled when conducting stakeholder engagement such as focus groups, surveys, and presentations?

Answer: As with all of our engagement opportunities, individuals can request accommodations to be able to participate. Please email ccregmodernization.dhs@state.mn.us if there are any barriers to you participating in our engagement opportunities, so we can work to address those barriers.