FAMILY CHILD CARE
Use, Abuse, or Dependency of Prescription Drugs, Controlled Substances, and/or Alcohol – Variance Request Process

1. The following individuals complete the variance request form.

   An applicant, provider, or caregiver that:
   a. received treatment or therapy for chemical abuse or chemical dependency in the past twelve months;
   b. abuses prescription drugs or uses controlled substances or alcohol; and their use, abuse or dependency has a negative effect on their ability to give care or is apparent during the hours children are in care in the past twelve months;

2. The completed variance request form and any supporting documentation is sent to the county licensing agency.

3. The agency reviews the request and all pertinent information (e.g. police reports, BCA, child and/or adult protection reports, evaluations, treatment records, support group attendance, letters of support, etc.).

4. Based on a review of all information and an assessment of the potential risk of harm to children, the agency makes a recommendation to the Department of Human Services (DHS) to either grant or deny the variance. The agency must include a description of their assessment of the individual's ability to ensure the care and safety of children, and the reason(s) why they are recommending the variance to the requirement.

5. The agency’s recommendation must be on the agency letterhead. If the licensing agency is recommending that a variance be granted, suggestions for the terms of the variance may also be included in the recommendation.

6. The recommendation and all supporting documentation should be submitted to:

   Minnesota Department of Human Services
   Division of Licensing
   Attention: Family Systems
   P.O. Box 64242
   St. Paul, MN  55164-0242

1. DHS will send written notification to the individual, the license holder and the licensing agency of the final decision.*

   *The commissioner’s decision to grant or deny a variance request is final and not subject to appeal.