

# Protocol for notification to providers/applicants of prohibition from providing legally unlicensed family child care:

MN Statutes §245A.03, subd 2b

DHS issues the following action:

**Suspension  
Revocation  
Denial**

Provider/applicant does not appeal.

Timeline for appeal has ended.

Provider/applicant appeals.

Existing provider can still provide licensed care. However applicant cannot provide licensed or unlicensed care.

When Commissioner's final order is completed and if action is affirmed.

DHS sends letter to the provider/applicant advising the provider/applicant he/she cannot provide unlicensed care. (Sample letter 2.)

**Conditional Status  
Fine**

Provider does not request reconsideration.

Action goes into effect.

Provider requests reconsideration.

Action is affirmed.

Provider can still provide licensed care, but not unlicensed care.

Provider decides to stop providing licensed care.

COUNTY AGENCY sends letter to provider advising the provider he/she cannot provide unlicensed care. (Sample letter 2.)

**Immediate Suspension**

Provider cannot operate even if he/she appeals.

Provider is advised of the prohibition against providing licensed or unlicensed care in the Order of Immediate Suspension.

In all cases, after notification to the provider has occurred, if the county finds that the provider is still operating, the agency licensor should refer this matter to the city or county attorney.

\* At any time the agency becomes aware of a provider/applicant who has been subject to an action and is planning to provide unlicensed care, the agency shall provide notice to the provider/applicant of this prohibition.