

July 9, 2025

**CERTIFIED MAIL**

Chanda Kiecker  
340 East 1<sup>st</sup> Street  
Litchfield, MN 55355-2231

License Number 1122873 FCC

## **ORDER OF LICENSE REVOCATION**

Dear Ms. Kiecker:

Based on the recommendation of Meeker County Social Services (Meeker County), the Department of Children, Youth, and Families (DCYF) is revoking your license to provide family child care at 340 East 1<sup>st</sup> Street Litchfield, MN. Details of our findings are provided below. Our next steps and your options are also detailed.

### **REASON FOR LICENSE REVOCATION**

#### **1. Commissioner's evaluation of program**

In determining whether a licensing action is warranted, DCYF evaluated the facts, conditions, and circumstances concerning your program's operation. This includes consideration of the well-being of children in your program, available evaluations from consumers of your program, and information about the qualifications of caregivers working in your program. Specifically, because you were found responsible for maltreatment, because you failed to follow reduction in sudden unexplained infant death requirements, because you failed to ensure that equipment was safe, because you failed to provide required supervision, because you failed to ensure that infant diapers were kept clean and dry, because you failed to follow flexible feeding schedules for infants, and because you failed to ensure that hazards were inaccessible to children. DCYF has determined that revocation of your license is appropriate based on the violations identified below and the program evaluation.

Legal Authority: Minnesota Statutes, section 245A.04, subdivision 6.<sup>1</sup>

#### **2. Determination that the license holder is responsible for maltreatment**

The Office of the Revisor of Statutes recently updated its website to reflect 2024 legislative changes to Minnesota statutes. The Revisor's website states that parts of Chapter 245A have been renumbered to Chapter 142B. Despite this language on the Revisor's website, parts of Chapter 245A (2023), as referenced in this document, remain effective until DHS formally transfers power and responsibility for parts of chapter 245A to the Minnesota Department of Children, Youth, and Families. The anticipated transfer date is July 1, 2025. Laws 2024, chapter 80, article 8, section 72; Laws 2023, chapter 70, article 12, section 30.

***May 20, 2025, Maltreatment Determination***

On May 20, 2025, Meeker County determined that you were responsible for maltreatment of a minor for threatened injury.

You were informed of your right to request reconsideration of the maltreatment determination. Because you did not make a timely request for reconsideration, the agency's maltreatment determination is final. If you appeal this revocation order, as explained below, the underlying maltreatment determination will not be reviewed as a part of the contested case hearing.

Statute Violated: Minnesota Statutes, section 260E.03

Legal Authority: Minnesota Statutes, section 245A.07, subdivision 3 paragraph (a) subparagraph (1).

**License holders found responsible for maltreatment are required to pay a \$1000 fine for each determination of maltreatment of a minor. Because license revocation is a more severe sanction against your license, DHS is not imposing this fine. If the revocation is rescinded, DCYF may impose the fine at that time.**

**3. Failure to comply with licensing laws and rules**

Meeker County determined that you failed to fully comply with the laws and rules that apply to licensed family child care. DCYF has considered the nature, chronicity, or severity of the violations that led to the revocation of your license.

Legal Authority: Minnesota Statutes, section 245A.07, subdivision 3, paragraph (a), subparagraph (1).

**Nature, history and severity of violations**

***New violations determined***

Meeker County conducted a licensing investigation at your licensed program. The following are new violations that have not been the subject of a previous correction order. If you appeal this order, the following violations *will* be reviewed as a part of the appeal. DCYF considered these violations, as well as the maltreatment determination described above, as a factor when it determined that revocation of your license is appropriate.

1. Meeker County determined that you failed to follow reduction in SUIDS requirements when you slept infants in a swing and an infant lounger. This was confirmed to be a regular practice from mid-2024 to April 2025.

Statute Violated: Minnesota Statutes, section 142B.46

2. Meeker County determined that you failed to ensure that all equipment used was safe and in good repair when you were observed using two recalled infant loungers with infants in care.

Rule Violated: Minnesota Rules, part 9502.0415 subpart 3

3. Meeker County determined that you failed to provide required supervision when children were found to be in a living room alone. You eventually came from a back bedroom, appearing to have just woken up.

It was also reported that a toddler was observed to be crying and unable to move, the substitute caregiver at the time was not assisting the child.

Rule Violated: Minnesota Rules, part 9502.0315, subpart 29a and Minnesota Rules, part 9502.0365, subpart 5.

4. Meeker County determined that you failed to ensure that sanitation and health requirements were followed regarding diapering. There were multiple reports of infants not being kept clean and dry. During a visit a child was observed to be wearing a heavily soiled diaper and another child's diaper was required to be changed by the parent immediately upon pickup. It was reported that the parent had to change the child's diaper each day upon arrival for pick up.

Rule Violated: Minnesota Rules part, 9502.0435 subpart 13

5. Meeker County determined that you failed to follow flexible feeding schedules for infants when you admitting to forgetting to feed an infant in care.

Rule Violated: Minnesota Rules part, 9502.0445 subpart 3 C

6. Meeker County determined that you failed to ensure that all hazardous items were inaccessible to children in care when children had access to hot wax warmers and soiled diapers.

Rule Violated: Minnesota Rules part, 9502.0435 subpart 6

### ***Previous licensing actions***

The following violations summarize the nature of your previous licensing violations. Because these violations are now conclusive, the individual violations are not within the scope of your appeal rights. Please refer to the previously issued orders for further details on these violations. If you do not have copies of these orders, contact your Meeker County licensor for assistance. DCYF also considered this history as a factor when it determined that revocation of your license is appropriate.

- April 14, 2025, Temporary Immediate Suspension, which determined children were at an imminent risk of harm.

### ***Severity of violations***

**Because you are responsible for maltreatment of a child, and due to the serious and chronic nature of these violations and the conditions in the program, which impact the health and safety of children in your care, your license to provide family child care services is revoked.**

## **YOUR RIGHT TO APPEAL**

You have the right to appeal the revocation. Your request must be in writing and clearly state that you are requesting a contested case hearing for this matter. Your request must be made before the deadlines provided below. If you do not meet this deadline, you lose your right to an administrative appeal. The timeline to appeal began when you received this order.

If you are mailing your request, it must be sent by certified mail and postmarked within 10 calendar days from when you received this order. Please send it to:

Commissioner, Department of Children, Youth, and Families  
Office of Inspector General  
Legal Counsel's Office  
Attention: Licensing Legal Unit  
PO Box 64953  
St. Paul, MN 55164-0953

If your request is being personally delivered, it must be received by DCYFS within 10 calendar days from when you received this order. Please bring it to:

Commissioner, Department of Children, Youth, and Families  
Office of Inspector General  
Legal Counsel's Office  
Attention: Licensing Legal Unit  
444 Lafayette Road North  
St. Paul, MN 55155

Upon DCYF's receipt of your timely appeal, your case would be scheduled for a contested case hearing in front of an Administrative Law Judge. Following this hearing, the Commissioner of DCYF will issue a final order. If you do not appeal or if the order is affirmed by the Commissioner following a hearing, DCYF is prohibited from issuing you a license for five years. In addition, any additional licenses held by you shall also be revoked.

### **Legal representation at the contested case hearing:**

You do not need a lawyer to appeal. However, a lawyer can help you with your appeal. The state or county will not get you a lawyer and will not pay for a lawyer. If you cannot afford a lawyer, you may be able to get free legal advice or help with your appeal. To find out if free help is available, contact: Volunteer Lawyers Network at 612-752-6677; Central Minnesota Legal Services at 612-332-8151; Southern Minnesota Legal Services at 651-222-4731; or go to [www.lawhelpmn.org](http://www.lawhelpmn.org) to find a local legal services program that may be able to help you.

You can also find information on contested cases from the Office of Administrative Hearings website at <https://mn.gov/oah/self-help>. Click on Administrative Law Overview, then click on Administrative Law Contested Case Hearing Guide for a list of frequently asked questions.

### **Operating the program pending the outcome of the appeal:**

On April 14, 2025, DHS issued an Order of Temporary Immediate Suspension on your family child care license. Because the immediate suspension of your license remains in effect, if you appeal the revocation, you continue to be prohibited from operating pending a final order from the Commissioner of DCYF.

### **Questions about CCAP**

If you are a provider registered to receive Child Care Assistance Program (CCAP) payments, this revocation order could impact your ability to receive CCAP funding. If your CCAP registration is closed or denied as a result of this Licensing action, you will get a separate notice(s).

If you have questions about:

- Your CCAP registration, and you get a notice telling you your registration is being closed or denied, contact the agency that sent the notice.
- Billing or payments for specific children, contact the county or CCAP agency where the children get CCAP.

### **Prohibition against providing legally unlicensed child care**

**On April 14, 2025, DHS issued an Order of Temporary Immediate Suspension to your family child care program, which disqualified you from providing legally unlicensed child care. You remain prohibited from providing legally unlicensed child care even if you appeal this order.**

### **Posting of this Licensing Action**

You are required to place this Order of License Revocation in a place that is clearly noticeable to the people receiving services and all visitors to the facility for two years, even if you appeal.

### **Legal authority for this licensing action**

- This action is taken under Minnesota Statutes, section 245A.07, subdivision 3, which describes under which conditions DCYF may revoke a license.
- When a revocation of a license is based on a maltreatment determination and/or a disqualification for which reconsideration was timely requested and which was not set aside, the scope of the contested

case hearing for the revocation shall also include the maltreatment and/or disqualification and set aside under Minnesota Statutes, section 245A.08, subdivision 2a, paragraph (a).

- Minnesota Statutes, section 245C.29, subdivision 1 states that a maltreatment determination is final if the commissioner has issued a final order following an appeal, the individual did not request reconsideration of the maltreatment determination, or the individual did not request a hearing of the maltreatment determination.
- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (4) states that license holders shall pay a \$1000 fine for each determination of maltreatment under section 260E.
- Minnesota Statutes, section 245.095 defines which programs administered by DCYF are included in the exclusion provision, and further defines "excluded," "individual," and "provider."
- License holders have a right to appeal licensing actions and request a contested case hearing, under Minnesota Statutes, chapter 14, Minnesota Rules, parts 1400.8505 to 1400.8612, and Minnesota Statutes, section 245A.08.
- Under Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (3), the commissioner shall not issue or reissue a license if the applicant, license holder, or controlling individual has had a license issued under this chapter revoked within the past five years.
- Under Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (5), when a license issued under this chapter is revoked under clause (1) or (3), the license holder and controlling individual may not hold any license under chapter 245A for five years following the revocation, and other licenses held by the applicant, license holder, or controlling individual shall also be revoked.
- Minnesota Statutes, section 245A.03, subdivision 2a provides that an applicant for licensure who has received a license revocation that has not been reversed on appeal may not operate as a legally unlicensed child care provider.
- Operating an unlicensed family child care is a misdemeanor under Minnesota Statutes, section 245A.03, subdivision 3.
- The requirement to post this order in a clearly visible location is required under Minnesota Statutes, section 245A.07, subdivision 5.

## Questions

If you have any further questions regarding this matter, you may contact Beth Donahue, Supervisor, at 651-431-6565.

Sincerely,

Chanda Kiecker

July 9, 2025

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A handwritten signature in black ink, appearing to read "Alexandra Keys". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Alexandra Keys, Unit Manager

Licensing Division

Office of Inspector General

cc: Syndi Raiber, Meeker County Social Services