

Authorizing Care – Switching Providers and Back-Up Providers

9.1.10

Do not authorize more than 120 hours of care per child, per biweekly period, except temporarily:

- During provider switches;

OR

- When authorizing care with a back-up provider.

If authorizing more than 120 hours of care per child, per biweekly period, never pay:

- More than 120 hours of care. See Chapter 9.9 ([Determination of Payment Amounts](#)).
- Two providers for the same period of time. See Chapter 9.1.9 ([Authorizing Care – Multiple Providers](#)).

Switching providers**What is a provider switch?**

Provider switches occur when:

- A child ends care with one provider and starts care with another provider;

OR

- A child continues care with a provider, but the provider's primary or secondary status changes.

Giving proper notice

Typically, 15-day notice is needed before taking an adverse action, such as ending a Service Authorization or decreasing authorized hours. See Chapter 12.1 ([15-Day Notice Requirements](#)).

When a child switches to a new provider or a child's primary provider switches to their secondary provider, do not start a new authorization or reduce an existing authorization until the earliest of:

- The first day after 15-day notice ends, if care with the previous provider:
 - Is scheduled to end;
 - Is available;
 - Continues through the end of the notice period.
- The first day a child runs out of absent days, if care with the previous provider:
 - Is available;
 - Does not continue through the notice period, but the provider bills absent days.
- The first day care is no longer available with the previous provider (for example, if the provider is closed or can no longer care for a child).
- The first day of the biweekly period after 15-day notice ends, if authorization is being reduced because a child's previous primary provider switches to their secondary provider. See "[Decrease in Authorized Hours of Care Requires a 15-Day Notice](#)" in the MEC² User Manual.
- The first day the previous provider says they will stop billing or the first day a previous primary provider says they will not bill more than 20 hours per biweekly period if they continue as the child's secondary provider. It is recommended the agency:

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- Inform the new provider that they will not be paid for the time period if the original provider bills, since two providers cannot be paid for the same time period.
- Document in Case Notes if a previous provider verbally agrees to stop billing or reduce their billing to 20 hours per biweekly period.

Note: When there is a change to the provider designation status entered on the “Child’s Provider” page in MEC², the Service Authorization must be approved for the change in provider designation to be effective.

Back-up providers

What is a back-up provider?

A back-up provider is a provider that a child only attends, and child care assistance only pays, on a sporadic basis when the child’s usual primary or secondary provider is not available. Back-up providers are commonly used during school breaks, school release days, and/or when the usual provider is on vacation.

Care can be authorized with a back-up provider for up to the entire time the child’s usual provider is unavailable.

Can a back-up provider’s authorization stay open when care is not needed?

A back-up provider’s authorization can only stay open when care is not needed if they are:

- Designated as the child’s **ONLY** secondary provider and authorized for 20 hours or less; or
- A legal nonlicensed provider (LNL). Legal nonlicensed providers do not count toward a child’s two provider limit.

Otherwise:

- A child cannot be authorized with more than one primary provider and one secondary provider at the same time. See Chapter 9.1.9 ([Authorizing Care – Multiple Providers](#)).
- Authorization with a back-up provider can only be opened when care with a child’s usual primary or secondary provider is unavailable.

Adjusting Service Authorizations in a single action

A single action is when a Service Authorization is:

- Opened and closed in the same approval package; or
- Increased and lowered with the same provider on the same day.

Taking a single action prevents authorization from continuing longer than needed and prevents the need to issue a 15-day notice. A 15-day notice is not needed in these situations because temporarily opening or increasing hours is a positive action.

Opening and closing a Service Authorization in a single action

When care is only authorized with a back-up provider for a short, limited time when care is not available with the child’s usual provider, it is recommended that workers open and close the back-up provider’s Service Authorization in a single action.

Authorization with the child’s usual provider can stay open when care is authorized with a back-up provider, if:

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- The child's usual provider is not paid, and care is unavailable; and
- The back-up provider's authorization is expected to last 15 days or less.

If care with the child's usual provider remains available or the back-up provider's authorization is expected to last more than 15 days:

- Close the usual provider's authorization; or
- Designate the usual provider as secondary and reduce hours to 20 or less (if the child does not have a secondary provider).

It is recommended that workers case note or communicate to billing workers that the child's usual provider cannot bill.

Switching a back-up provider's designation and increasing and lowering hours in a single action

It is recommended workers switch a back-up provider's designation and increase and lower authorized hours in a single action, when:

- A back-up provider's authorization stays open continuously as a child's secondary provider; but
- The back-up provider occasionally needs to temporarily have their designation changed to primary and their hours increased because a child's usual primary provider is unavailable.

The child's usual primary provider can keep their designation and typical authorization if:

- The child's usual primary provider is not paid, and care is unavailable; and
- The back-up provider's increased authorization is expected to last 15 days or less.

If the back-up provider's increased authorization is expected to last more than 15 days, workers must:

- Close the usual primary provider's authorization; or
- Designate the usual primary provider as secondary and reduce hours to 20 or less.

MEC² Recommendations

It is recommended that workers:

- Case note or communicate to billing workers that the child's usual primary provider cannot bill.
- Check to be sure the back-up provider and the family get Service Authorizations with all changes in authorized hours and effective dates. If necessary, add comments to MEC² notices or send supplemental notices.
- Increase "Total Hours of Care Authorized" on the Billing window, if necessary, to match what was authorized temporarily, when processing bills for a back-up provider. Raising hours on the Billing window without changing the designation will not increase payment above the secondary provider limit of twenty hours (or two daily rates).

Authorization Examples

Example 1: New primary provider (original provider bills absent days)

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On 11/29, the family reports their child is ending care with their primary provider on 12/7 and starting a new primary provider on 12/10. The original provider says they plan to bill absent days during the 15-day notice period. The worker processes the change on 12/3.

What happens?

The worker took action to close the Service Authorization on 12/3, so 15-day notice runs through 12/19. The child had absent days remaining, and the original provider bills absent days 12/10 through 12/19. The new primary provider's authorization and primary designation can start on 12/20 (after 15-day notice ends for the original primary provider).

Provider designation

- Primary provider end date: 12/19 (original provider)
- Primary provider start date: 12/20 (new provider)

Example 2: New primary provider (original provider says they will not bill absent days)**Scenario**

On 11/29, the family reports their child is ending care with their primary provider on 12/7 and starting a new primary provider on 12/10. The original primary provider says they will not bill absent days during the 15-day notice period. The worker processes the change on 12/3.

What happens?

The new primary provider's authorization and primary designation can start on 12/10, the day care starts.

Provider designation

- Primary provider end date: 12/7 (original provider)
- Primary provider start date: 12/10 (new provider)

Example 3: Primary provider vacation (back-up provider providing care)**Scenario**

On 11/29, the family reports their child's back-up/usual secondary provider will be their primary provider from 12/10 – 12/20 because the child's usual primary provider will be on vacation. The worker processes the changes in a single action on 12/3.

What happens?

The child's usual back-up/secondary provider can temporarily have their hours increased and be designated as a primary provider for the dates of the usual primary provider's vacation because:

- The child's usual primary provider is unavailable and cannot be paid; and

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- The hours and designation with the child's back-up/usual secondary provider were increased and decreased in a single action.

Because care is temporarily unavailable for 15 days or less, the child's usual primary provider can keep their primary designation and authorization and resume billing on 12/21.

Provider designation

In the biweekly period that includes the date the usual primary provider starts their vacation:

- Secondary provider end date: 12/9 (usual secondary provider)
- Primary provider start date: 12/10 (usual secondary provider)

In the biweekly period that includes the date the usual primary provider ends their vacation:

- Primary provider end date: 12/20 (usual secondary provider)
- Secondary provider start date: 12/21 (usual secondary provider)

Example 4: New primary provider (original primary provider becomes secondary provider)

Scenario

On 11/29, the family reports their child is starting care with a new primary provider on 12/10 and the existing primary provider will become their secondary provider. The original primary provider does not plan to reduce their billing until the end of the 15-day notice period. The worker processes the change on 12/3.

What happens?

Hours cannot be reduced with the original primary provider until 12/31 (first day of the biweekly period after the 15-day notice period ends).

Provider designation

- The original primary provider:
 - Ends their primary designation on 12/30.
 - Starts their secondary designation on 12/31.
- The child's new primary provider:
 - May be authorized as a secondary provider 12/10 – 12/30 because another secondary provider is not authorized during this time.
 - Starts their designation as primary provider and increases their hours on 12/31 (the day after the original primary provider's designation ends).

Legal authority

Minnesota Statutes 142E.10, subd. 6

Minnesota Statutes 142E.11, subd. 4

Minnesota Statutes 142E.17, subds. 1(i) & 10

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Minnesota Rules 3400.0020, subp. 10b

Minnesota Rules 3400.0110, subps. 3 & 3b

Minnesota Rules 3400.0185