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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2217

03/07/2019 Authored by Pinto, Zerwas and Moran
The bill was read for the first time and referred to the Committee on Health and Human Services Policy
03/28/2019 Adoption of Report: Re-referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to human services; changing child protection grant allocation to counties;
1.3 amending Minnesota Statutes 2018, section 256M.41, subdivision 3, by adding a
1.4 subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 256M.41, subdivision 3, is amended to read:

1.7 Subd. 3. **Payments based on performance.** (a) The commissioner shall make payments
1.8 under this section to each county board on a calendar year basis in an amount determined
1.9 under paragraph (b) on or before July 10 of each year.

1.10 (b) Calendar year allocations under subdivision 1 shall be paid to counties in the following
1.11 manner:

1.12 (1) 80 percent of the allocation as determined in subdivision 1 must be paid to counties
1.13 on or before July 10 of each year;

1.14 (2) ten percent of the allocation shall be withheld until the commissioner determines if
1.15 the county has met the performance outcome threshold of 90 percent based on face-to-face
1.16 contact with alleged child victims. In order to receive the performance allocation, the county
1.17 child protection workers must have a timely face-to-face contact with at least 90 percent of
1.18 all alleged child victims of screened-in maltreatment reports. The standard requires that
1.19 each initial face-to-face contact occur consistent with timelines defined in section 626.556,
1.20 subdivision 10, paragraph (i). The commissioner shall make threshold determinations in
1.21 January of each year and payments to counties meeting the performance outcome threshold
1.22 shall occur in February of each year. Any withheld funds from this appropriation for counties

2.1 that do not meet this requirement shall be reallocated by the commissioner to those counties  
 2.2 meeting the requirement; and

2.3 ~~(3) ten percent of the allocation shall be withheld until the commissioner determines~~  
 2.4 ~~that the county has met the performance outcome threshold of 90 percent based on~~  
 2.5 ~~face-to-face visits by the case manager. In order to receive the performance allocation, the~~  
 2.6 ~~total number of visits made by caseworkers on a monthly basis to children in foster care~~  
 2.7 ~~and children receiving child protection services while residing in their home must be at least~~  
 2.8 ~~90 percent of the total number of such visits that would occur if every child were visited~~  
 2.9 ~~once per month. The commissioner shall make such determinations in January of each year~~  
 2.10 ~~and payments to counties meeting the performance outcome threshold shall occur in February~~  
 2.11 ~~of each year. Any withheld funds from this appropriation for counties that do not meet this~~  
 2.12 ~~requirement shall be reallocated by the commissioner to those counties meeting the~~  
 2.13 ~~requirement. For 2015, the commissioner shall only apply the standard for monthly foster~~  
 2.14 ~~care visits.~~

2.15 ~~(e) The commissioner shall work with stakeholders and the Human Services Performance~~  
 2.16 ~~Council under section 402A.16 to develop recommendations for specific outcome measures~~  
 2.17 ~~that counties should meet in order to receive funds withheld under paragraph (b), and include~~  
 2.18 ~~in those recommendations a determination as to whether the performance measures under~~  
 2.19 ~~paragraph (b) should be modified or phased out. The commissioner shall report the~~  
 2.20 ~~recommendations to the legislative committees having jurisdiction over child protection~~  
 2.21 ~~issues by January 1, 2018.~~

2.22 Sec. 2. Minnesota Statutes 2018, section 256M.41, is amended by adding a subdivision  
 2.23 to read:

2.24 Subd. 4. **County performance on child protection measures.** The commissioner shall  
 2.25 set child protection measures and standards. The commissioner shall require an  
 2.26 underperforming county to demonstrate that the county designated sufficient funds and  
 2.27 implemented a reasonable strategy to improve child protection performance, including the  
 2.28 provision of a performance improvement plan and additional remedies identified by the  
 2.29 commissioner. The commissioner may redirect up to 20 percent of a county's funds under  
 2.30 this section toward the performance improvement plan. Sanctions under section 256M.20,  
 2.31 subdivision 3, related to noncompliance with federal performance standards also apply.