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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3795

- 03/14/2018 Authored by Koznick, Youakim, Torkelson, Pierson, Peterson and others
- The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy
- 03/21/2018 Adoption of Report: Amended and re-referred to the Committee on Civil Law and Data Practices Policy
- 03/26/2018 Adoption of Report: Amended and re-referred to the Committee on Health and Human Services Finance
- 04/09/2018 Adoption of Report: Amended and re-referred to the Committee on Transportation Finance

1.1 A bill for an act

1.2 relating to transportation; authorizing data sharing between the Department of

1.3 Human Services and the Metropolitan Council for special transportation purposes;

1.4 extending the Metro Mobility service area; amending Minnesota Statutes 2016,

1.5 sections 13.461, by adding a subdivision; 13.72, subdivision 10; 473.386,

1.6 subdivision 3, by adding a subdivision.

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

1.8 Section 1. Minnesota Statutes 2016, section 13.461, is amended by adding a subdivision

1.9 to read:

1.10 Subd. 33. Metropolitan Council special transportation service. Data sharing between

1.11 the commissioner of human services and the Metropolitan Council for purposes of

1.12 administering and coordinating transportation services for disabled and elderly individuals

1.13 is governed by section 473.386, subdivision 9.

1.14 EFFECTIVE DATE. This section is effective the day following final enactment and

1.15 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

1.16 Sec. 2. Minnesota Statutes 2016, section 13.72, subdivision 10, is amended to read:

1.17 Subd. 10. **Transportation service data.** (a) Personal, medical, financial, familial, or

1.18 locational information data pertaining to applicants for or users of services providing

1.19 transportation for ~~the~~ disabled or elderly individuals are private data on individuals.

1.20 (b) Private transportation service data may be disclosed between the commissioner of

1.21 human services and the Metropolitan Council for purposes of administering and coordinating

1.22 human services programs and transportation services for disabled and elderly individuals

1.23 under section 473.386.

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
2.2 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

2.3 Sec. 3. Minnesota Statutes 2016, section 473.386, subdivision 3, is amended to read:

2.4 Subd. 3. **Duties of council.** In implementing the special transportation service, the council
2.5 shall:

2.6 (a) encourage participation in the service by public, private, and private nonprofit
2.7 providers of special transportation currently receiving capital or operating assistance from
2.8 a public agency;

2.9 (b) when feasible and cost-efficient, contract with public, private, and private nonprofit
2.10 providers that have demonstrated their ability to effectively provide service at a reasonable
2.11 cost;

2.12 (c) encourage individuals using special transportation to use the type of service most
2.13 appropriate to their particular needs;

2.14 (d) encourage shared rides to the greatest extent practicable;

2.15 (e) encourage public agencies that provide transportation to eligible individuals as a
2.16 component of human services and educational programs to coordinate with this service and
2.17 to allow reimbursement for transportation provided through the service at rates that reflect
2.18 the public cost of providing that transportation;

2.19 (f) establish criteria to be used in determining individual eligibility for special
2.20 transportation services;

2.21 (g) consult with the Transportation Accessibility Advisory Committee in a timely manner
2.22 before changes are made in the provision of special transportation services;

2.23 (h) provide for effective administration and enforcement of council policies and standards;
2.24 and

2.25 (i) ensure that, taken as a whole including contracts with public, private, and private
2.26 nonprofit providers, the geographic coverage area of the special transportation service is
2.27 continuous within the boundaries of the transit taxing district, as defined as of March 1,
2.28 2006, in section 473.446, subdivision 2, and any area added to the transit taxing district
2.29 under section 473.4461 that received capital improvements financed in part by the Minnesota
2.30 Urban Partnership Agreement (UPA) under the United States Department of Transportation
2.31 UPA program.

3.1 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
3.2 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
3.3 Scott, and Washington.

3.4 Sec. 4. Minnesota Statutes 2016, section 473.386, is amended by adding a subdivision to
3.5 read:

3.6 **Subd. 9. Data practices.** (a) For purposes of administering this section, and only with
3.7 the consent of the data subject, the commissioner of human services and the Metropolitan
3.8 Council may share the following private data on individuals eligible for special transportation
3.9 services:

3.10 (1) name;

3.11 (2) date of birth;

3.12 (3) residential address; and

3.13 (4) program eligibility status with expiration date for the purposes of informing the other
3.14 party of program eligibility.

3.15 (b) The commissioner of human services and the Metropolitan Council must provide
3.16 notice regarding data sharing to each individual applying for or renewing eligibility to use
3.17 special transportation services. The notice must seek consent to engage in data sharing under
3.18 paragraph (a), and must state how and for what purposes the individual's private data will
3.19 be shared between the commissioner of human services and the Metropolitan Council. A
3.20 consent to engage in data sharing is effective until the individual's eligibility expires, but
3.21 may be renewed if the individual applies to renew eligibility.

3.22 **EFFECTIVE DATE.** This section is effective the day following final enactment and
3.23 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.
3.24 Within 60 days of this section's effective date, the commissioner of human services and the
3.25 Metropolitan Council must provide notice regarding data sharing to each individual who is
3.26 currently receiving special transportation services under Minnesota Statutes, section 473.386.
3.27 The notice must provide an opportunity to opt out of data sharing under paragraph (a) of
3.28 this section, and must state how and for what purposes the individual's private data will be
3.29 shared between the commissioner of human services and the Metropolitan Council. An
3.30 individual who is currently receiving special transportation services on this section's effective
3.31 date is presumed to have consented to data sharing under paragraph (a) unless, within 60
3.32 days of the dissemination of the notice, the individual appropriately informs the commissioner
3.33 of human services or the Metropolitan Council that the individual opts out of data sharing.