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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4954

03/14/2024 Authored by Hemmingsen-Jaeger The bill was read for the first time and referred to the Committee on Human Services Policy

1.1 A bill for an act
1.2 relating to human services; allowing ombudspersons access to the social service
1.3 information system; amending Minnesota Statutes 2022, sections 3.9215, by adding
1.4 a subdivision; 245.975, subdivision 4; 257.0762, by adding a subdivision; 260C.82,
1.5 by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2022, section 3.9215, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 14. Access to records. (a) The ombudsperson or designee, excluding volunteers,
1.10 has direct access in the ombudsperson's own office to the social service information system
1.11 as necessary for the discharge of the ombudsperson's duties, including records classified as
1.12 confidential data on individuals or private data on individuals under chapter 13 or any other
1.13 law.

1.14 (b) The ombudsperson and designees must adhere to the Minnesota Government Data
1.15 Practices Act and must not disseminate any private or confidential data on individuals unless
1.16 specifically authorized by state, local, or federal law or pursuant to a court order.

1.17 Sec. 2. Minnesota Statutes 2022, section 245.975, subdivision 4, is amended to read:

1.18 Subd. 4. Access to records. (a) The ombudsperson or designee, excluding volunteers,
1.19 has access to any data of a state agency necessary for the discharge of the ombudsperson's
1.20 duties, including records classified as confidential data on individuals or private data on
1.21 individuals under chapter 13 or any other law. The ombudsperson's data request must relate
1.22 to a specific case and is subject to section 13.03, subdivision 4. If the data concerns an
1.23 individual, the ombudsperson or designee shall first obtain the individual's consent. If the

2.1 individual is unable to consent and has no parent or legal guardian, then the ombudsperson's  
2.2 or designee's access to the data is authorized by this section.

2.3 (b) The ombudsperson or designee, excluding volunteers, has direct access in the  
2.4 ombudsperson's own office to the social service information system as necessary for the  
2.5 discharge of the ombudsperson's duties, including records classified as confidential data on  
2.6 individuals or private data on individuals under chapter 13 or any other law.

2.7 (c) The ombudsperson and designees must adhere to the Minnesota Government Data  
2.8 Practices Act and must not disseminate any private or confidential data on individuals unless  
2.9 specifically authorized by state, local, or federal law or pursuant to a court order.

2.10 ~~(e)~~ (d) The commissioner and any county agency must provide the ombudsperson copies  
2.11 of all fix-it tickets, correction orders, and licensing actions issued to family child care  
2.12 providers.

2.13 Sec. 3. Minnesota Statutes 2022, section 257.0762, is amended by adding a subdivision  
2.14 to read:

2.15 Subd. 3. Access to records. (a) Each ombudsperson or designee, excluding volunteers,  
2.16 has direct access in the ombudsperson's own office to the social service information system  
2.17 as necessary for the discharge of the ombudsperson's duties, including records classified as  
2.18 confidential data on individuals or private data on individuals under chapter 13 or any other  
2.19 law.

2.20 (b) Each ombudsperson and designee must adhere to the Minnesota Government Data  
2.21 Practices Act and must not disseminate any private or confidential data on individuals unless  
2.22 specifically authorized by state, local, or federal law or pursuant to a court order.

2.23 Sec. 4. Minnesota Statutes 2022, section 260C.82, is amended by adding a subdivision to  
2.24 read:

2.25 Subd. 8. Access to records. (a) The ombudsperson or designee, excluding volunteers,  
2.26 has direct access in the ombudsperson's own office to the social service information system  
2.27 as necessary for the discharge of the ombudsperson's duties, including records classified as  
2.28 confidential data on individuals or private data on individuals under chapter 13 or any other  
2.29 law.

2.30 (b) The ombudsperson and designees must adhere to the Minnesota Government Data  
2.31 Practices Act and must not disseminate any private or confidential data on individuals unless  
2.32 specifically authorized by state, local, or federal law or pursuant to a court order.