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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **771**

02/07/2019 Authored by Moran, Lee, Vang and Xiong, J.,
The bill was read for the first time and referred to the Committee on Health and Human Services Policy
03/04/2020 Adoption of Report: Amended and re-referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to human services; modifying provisions governing Cultural and Ethnic
1.3 Communities Leadership Council; amending Minnesota Statutes 2018, section
1.4 256.041.

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

1.6 Section 1. Minnesota Statutes 2018, section 256.041, is amended to read:

1.7 **256.041 CULTURAL AND ETHNIC COMMUNITIES LEADERSHIP COUNCIL.**

1.8 Subdivision 1. **Establishment; purpose.** (a) There is hereby established the Cultural
1.9 and Ethnic Communities Leadership Council for the Department of Human Services. The
1.10 purpose of the council is to advise the commissioner of human services on reducing inequities
1.11 and disparities that particularly affect racial and ethnic groups in Minnesota.

1.12 (b) This council is comprised of racially and ethnically diverse community leaders and
1.13 American Indians who are residents of Minnesota and may present with compounded
1.14 challenges of systemic inequities. Members include people who are refugees, immigrants,
1.15 and LGBTQ+; people who may have a disability; and people who live in rural Minnesota.

1.16 Subd. 2. **Members.** (a) The council must consist of:

1.17 (1) the chairs and ranking minority members of the committees in the house of
1.18 representatives and the senate with jurisdiction over human services, or their designees; and

1.19 (2) no fewer than 15 and no more than 25 members appointed by and serving at the
1.20 pleasure of the commissioner of human services, in consultation with county, tribal, cultural,
1.21 and ethnic communities; diverse program participants; and parent representatives from these
1.22 communities, and Cultural and Ethnic Communities Leadership Council members.

2.1 (b) In making appointments under this section, the commissioner shall give priority
2.2 consideration to public members of the legislative councils of color established under ~~chapter~~
2.3 ~~3~~ section 15.0145.

2.4 (c) Members must be appointed to allow for representation of the following groups:

2.5 (1) racial and ethnic minority groups;

2.6 (2) the American Indian community, which must be represented by two members;

2.7 (3) culturally and linguistically specific advocacy groups and service providers;

2.8 (4) human services program participants;

2.9 (5) public and private institutions;

2.10 (6) parents of human services program participants;

2.11 (7) members of the faith community;

2.12 (8) Department of Human Services employees; and

2.13 (9) any other group the commissioner deems appropriate to facilitate the goals and duties
2.14 of the council.

2.15 Subd. 3. **Guidelines.** The commissioner shall direct the development of guidelines
2.16 defining the membership of the council; setting out definitions; and developing duties of
2.17 the commissioner, the council, and council members regarding racial and ethnic disparities
2.18 reduction. The guidelines must be developed in consultation with:

2.19 (1) the chairs of relevant committees; and

2.20 (2) county, tribal, and cultural communities and program participants from these
2.21 communities.

2.22 Subd. 4. **Chair.** The commissioner shall accept recommendations from the council to
2.23 appoint a chair or chairs.

2.24 ~~Subd. 5. **Terms for first appointees.** The initial members appointed shall serve until~~
2.25 ~~January 15, 2016.~~

2.26 Subd. 6. **Terms.** A term shall be for two years and appointees may be reappointed to
2.27 serve two additional terms. The commissioner shall make appointments to replace members
2.28 vacating their positions by January 15 of each year in a timely manner, no more than three
2.29 months after the council reviews panel recommendations.

3.1 Subd. 7. **Duties of commissioner.** (a) The commissioner of human services or the
3.2 commissioner's designee shall:

3.3 (1) maintain and actively engage with the council established in this section;

3.4 (2) supervise and coordinate policies for persons from racial, ethnic, cultural, linguistic,
3.5 and tribal communities who experience disparities in access and outcomes;

3.6 (3) identify human services rules or statutes affecting persons from racial, ethnic, cultural,
3.7 linguistic, and tribal communities that may need to be revised;

3.8 (4) investigate and implement ~~cost-effective~~ equitable and culturally responsive models
3.9 of ~~service delivery such as~~ program implementation, including careful adaptation ~~adoption~~
3.10 of ~~clinically proven services that constitute one strategy for increasing the number of~~ and
3.11 culturally relevant services available to currently underserved populations; ~~and~~

3.12 (5) based on recommendations of the council, review identified department policies that
3.13 maintain racial, ethnic, cultural, linguistic, and tribal disparities, ~~and~~ make adjustments to
3.14 ensure those disparities are not perpetuated, and advise on progress and accountability
3.15 measures for addressing inequities;

3.16 (6) in partnership with the council, renew and implement equity policy with action plans
3.17 and resources necessary to implement the action plans;

3.18 (7) support interagency collaboration to advance equity;

3.19 (8) address the council at least twice annually on the state of equity within the department;
3.20 and

3.21 (9) support member participation in the council, including participation in educational
3.22 and community engagement events across Minnesota that address equity in human services.

3.23 (b) The commissioner of human services or the commissioner's designee shall consult
3.24 with the council and receive recommendations from the council when meeting the
3.25 requirements in this subdivision.

3.26 Subd. 8. **Duties of council.** The council shall:

3.27 (1) recommend to the commissioner for review ~~identified policies in the~~ Department of
3.28 Human Services policy, budgetary, and operational decisions and practices that ~~maintain~~
3.29 impact racial, ethnic, cultural, linguistic, and tribal disparities;

3.30 (2) with community input, advance legislative proposals to improve racial and health
3.31 equity outcomes;

- 4.1 (3) identify issues regarding inequities and disparities by engaging diverse populations
4.2 in human services programs;
- 4.3 ~~(3)~~ (4) engage in mutual learning essential for achieving human services parity and
4.4 optimal wellness for service recipients;
- 4.5 ~~(4)~~ (5) raise awareness about human services disparities to the legislature and media;
- 4.6 ~~(5)~~ (6) provide technical assistance and consultation support to counties, private nonprofit
4.7 agencies, and other service providers to build their capacity to provide equitable human
4.8 services for persons from racial, ethnic, cultural, linguistic, and tribal communities who
4.9 experience disparities in access and outcomes;
- 4.10 ~~(6)~~ (7) provide technical assistance to promote statewide development of culturally and
4.11 linguistically appropriate, accessible, and cost-effective human services and related policies;
- 4.12 ~~(7) provide~~ (8) recommend and monitor training and outreach to facilitate access to
4.13 culturally and linguistically appropriate, accessible, and cost-effective human services to
4.14 prevent disparities;
- 4.15 ~~(8) facilitate culturally appropriate and culturally sensitive admissions, continued services,~~
4.16 ~~discharges, and utilization review for human services agencies and institutions;~~
- 4.17 (9) form work groups to help carry out the duties of the council that include, but are not
4.18 limited to, persons who provide and receive services and representatives of advocacy groups,
4.19 and provide the work groups with clear guidelines, standardized parameters, and tasks for
4.20 the work groups to accomplish;
- 4.21 (10) promote information sharing in the human services community and statewide; ~~and~~
- 4.22 (11) by February 15 ~~each year~~ in the second year of the biennium, prepare and submit
4.23 to the chairs and ranking minority members of the committees in the house of representatives
4.24 and the senate with jurisdiction over human services a report that summarizes the activities
4.25 of the council, identifies the major problems and issues confronting racial and ethnic groups
4.26 in accessing human services, makes recommendations to address issues, ~~and~~ lists the specific
4.27 objectives that the council seeks to attain during the next biennium, and provides
4.28 recommendations to strengthen equity, diversity, and inclusion within the department. The
4.29 report ~~must also include a list of programs, groups, and grants used to reduce disparities,~~
4.30 ~~and statistically valid reports of outcomes on the reduction of the disparities.~~ shall identify
4.31 racial and ethnic groups' difficulty in accessing human services and make recommendations
4.32 to address the issues. The report must include any updated Department of Human Services
4.33 equity policy, implementation plans, equity initiatives, and the council's progress.

5.1 Subd. 9. **Duties of council members.** The members of the council shall:

5.2 (1) with no more than three absences per year, attend and participate in scheduled
5.3 meetings and be prepared by reviewing meeting notes;

5.4 (2) maintain open communication channels with respective constituencies;

5.5 (3) identify and communicate issues and risks that could impact the timely completion
5.6 of tasks;

5.7 (4) collaborate on inequity and disparity reduction efforts;

5.8 (5) communicate updates of the council's work progress and status on the Department
5.9 of Human Services website; ~~and~~

5.10 (6) participate in any activities the council or chair deems appropriate and necessary to
5.11 facilitate the goals and duties of the council; and

5.12 (7) participate in work groups to carry out council duties.

5.13 Subd. 10. **Expiration.** The council ~~expires on June 30, 2020~~ shall expire when racial
5.14 and ethnic-based disparities no longer exist in the state of Minnesota.

5.15 Subd. 11. **Compensation.** Compensation for members of the council is governed by
5.16 section 15.059, subdivision 3.