

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 5386

(SENATE AUTHORS: WIKLUND)

DATE	D-PG	OFFICIAL STATUS
04/08/2024	13541	Introduction and first reading Referred to Health and Human Services

1.1A bill for an act

1.2relating to early childhood; the governor's budget bill for early childhood programs;

1.3modifying provisions related to child welfare and child care licensing; making

1.4technical changes to early childhood law; updating the Department of Children,

1.5Youth, and Families recodification; appropriating money; amending Minnesota

1.6Statutes 2022, sections 245.975, subdivisions 2, 4, 9; 245A.07, subdivision 6;

1.7245A.10, subdivisions 1, as amended, 2, as amended; 245A.144; 245A.175;

1.8256.029, as amended; 260C.007, subdivisions 5, 6, by adding subdivisions;

1.9260C.212, subdivision 13; 260E.03, by adding a subdivision; 260E.14, subdivision

1.103; 260E.36, subdivision 1a; Minnesota Statutes 2023 Supplement, sections 245A.16,

1.11subdivision 1, as amended; 245A.66, subdivision 4, as amended; 256M.42, by

1.12adding a subdivision; 260.761, subdivision 2; 260.762, subdivision 2; 260E.02,

1.13subdivision 1; 260E.03, subdivisions 15a, 15b, 22; 260E.14, subdivision 5; 260E.17,

1.14subdivision 1; 260E.18; 260E.20, subdivision 2; 260E.24, subdivisions 2, 7;

1.15260E.33, subdivision 1; 260E.35, subdivision 6; Laws 2023, chapter 70, article

1.1612, section 30, subdivisions 2, 3; article 20, sections 2, subdivision 24; 23; Laws

1.172024, chapter 80, article 1, sections 34, subdivision 2; 96; article 2, sections 5,

1.18subdivision 21; 7, subdivision 2; 10, subdivision 6; 16, subdivision 1; 30,

1.19subdivision 2; 31; 74; article 4, section 26; article 6, section 4; article 7, section

1.204; proposing coding for new law in Minnesota Statutes, chapter 142A; proposing

1.21coding for new law as Minnesota Statutes, chapter 142B; repealing Minnesota

1.22Statutes 2022, sections 245.975, subdivision 8; 245A.065; Laws 2024, chapter 80,

1.23article 2, sections 1, subdivision 11; 3, subdivision 3; 4, subdivision 4; 10,

1.24subdivision 4; 33; 69; Minnesota Rules, part 9545.0845.

1.25BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.26ARTICLE 1

1.27CHILD WELFARE

1.28Section 1. Minnesota Statutes 2023 Supplement, section 260.761, subdivision 2, is amended

1.29to read:

1.30Subd. 2. **Notice to Tribes of services or court proceedings involving an Indian**

1.31**child.** (a) When a child-placing agency has information that a family assessment,

investigation, or noncaregiver ~~sex~~ human trafficking assessment being conducted may involve an Indian child, the child-placing agency shall notify the Indian child's Tribe of the family assessment, investigation, or noncaregiver ~~sex~~ human trafficking assessment according to section 260E.18. The child-placing agency shall provide initial notice by telephone and by email or facsimile and shall include the child's full name and date of birth; the full names and dates of birth of the child's biological parents; and if known the full names and dates of birth of the child's grandparents and of the child's Indian custodian. If information regarding the child's grandparents or Indian custodian is not immediately available, the child-placing agency shall continue to request this information and shall notify the Tribe when it is received. Notice shall be provided to all Tribes to which the child may have any Tribal lineage. The child-placing agency shall request that the Tribe or a designated Tribal representative participate in evaluating the family circumstances, identifying family and Tribal community resources, and developing case plans. The child-placing agency shall continue to include the Tribe in service planning and updates as to the progress of the case.

(b) When a child-placing agency has information that a child receiving services may be an Indian child, the child-placing agency shall notify the Tribe by telephone and by email or facsimile of the child's full name and date of birth, the full names and dates of birth of the child's biological parents, and, if known, the full names and dates of birth of the child's grandparents and of the child's Indian custodian. This notification must be provided for the Tribe to determine if the child is a member or eligible for Tribal membership, and the agency must provide this notification to the Tribe within seven days of receiving information that the child may be an Indian child. If information regarding the child's grandparents or Indian custodian is not available within the seven-day period, the child-placing agency shall continue to request this information and shall notify the Tribe when it is received. Notice shall be provided to all Tribes to which the child may have any Tribal lineage.

(c) In all child placement proceedings, when a court has reason to believe that a child placed in emergency protective care is an Indian child, the court administrator or a designee shall, as soon as possible and before a hearing takes place, notify the Tribal social services agency by telephone and by email or facsimile of the date, time, and location of the emergency protective care or other initial hearing. The court shall make efforts to allow appearances by telephone or video conference for Tribal representatives, parents, and Indian custodians.

(d) The child-placing agency or individual petitioner shall effect service of any petition governed by sections 260.751 to 260.835 by certified mail or registered mail, return receipt requested upon the Indian child's parents, Indian custodian, and Indian child's Tribe at least

10 days before the admit-deny hearing is held. If the identity or location of the Indian child's parents or Indian custodian and Tribe cannot be determined, the child-placing agency shall provide the notice required in this paragraph to the United States Secretary of the Interior, Bureau of Indian Affairs by certified mail, return receipt requested.

(e) A Tribe, the Indian child's parents, or the Indian custodian may request up to 20 additional days to prepare for the admit-deny hearing. The court shall allow appearances by telephone, video conference, or other electronic medium for Tribal representatives, the Indian child's parents, or the Indian custodian.

(f) A child-placing agency or individual petitioner must provide the notices required under this subdivision at the earliest possible time to facilitate involvement of the Indian child's Tribe. Nothing in this subdivision is intended to hinder the ability of the child-placing agency, individual petitioner, and the court to respond to an emergency situation. Lack of participation by a Tribe shall not prevent the Tribe from intervening in services and proceedings at a later date. A Tribe may participate in a case at any time. At any stage of the child-placing agency's involvement with an Indian child, the agency shall provide full cooperation to the Tribal social services agency, including disclosure of all data concerning the Indian child. Nothing in this subdivision relieves the child-placing agency of satisfying the notice requirements in state or federal law.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 2. Minnesota Statutes 2023 Supplement, section 260.762, subdivision 2, is amended to read:

Subd. 2. Requirements for child-placing agencies and individual petitioners. A child-placing agency or individual petitioner shall:

(1) work with the Indian child's Tribe and family to develop an alternative plan to out-of-home placement;

(2) before making a decision that may affect an Indian child's safety and well-being or when contemplating out-of-home placement of an Indian child, seek guidance from the Indian child's Tribe on family structure, how the family can seek help, what family and Tribal resources are available, and what barriers the family faces at that time that could threaten its preservation; ~~and~~

(3) request participation of the Indian child's Tribe at the earliest possible time and request the Tribe's active participation throughout the case; and

(4) notify the Indian child's Tribe or Tribes by telephone and by email or facsimile immediately but no later than 24 hours after receiving information on a missing child as defined under section 260C.212, subdivision 13, paragraph (a).

Sec. 3. Minnesota Statutes 2022, section 260C.007, subdivision 5, is amended to read:

Subd. 5. **Child abuse.** "Child abuse" means an act that involves a minor victim that constitutes a violation of section 609.221, 609.222, 609.223, 609.224, 609.2242, 609.282, 609.322, 609.324, 609.342, 609.343, 609.344, 609.345, 609.3458, 609.377, 609.378, 617.246, or that is physical or sexual abuse as defined in section 260E.03, or an act committed in another state that involves a minor victim and would constitute a violation of one of these sections if committed in this state.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 4. Minnesota Statutes 2022, section 260C.007, subdivision 6, is amended to read:

Subd. 6. **Child in need of protection or services.** "Child in need of protection or services" means a child who is in need of protection or services because the child:

(1) is abandoned or without parent, guardian, or custodian;

(2)(i) has been a victim of physical or sexual abuse as defined in section 260E.03, subdivision 18 or 20, (ii) resides with or has resided with a victim of child abuse as defined in subdivision 5 or domestic child abuse as defined in subdivision 13, (iii) resides with or would reside with a perpetrator of domestic child abuse as defined in subdivision 13 or child abuse as defined in subdivision 5 or 13, or (iv) is a victim of emotional maltreatment as defined in subdivision 15;

(3) is without necessary food, clothing, shelter, education, or other required care for the child's physical or mental health or morals because the child's parent, guardian, or custodian is unable or unwilling to provide that care;

(4) is without the special care made necessary by a physical, mental, or emotional condition because the child's parent, guardian, or custodian is unable or unwilling to provide that care;

(5) is medically neglected, which includes, but is not limited to, the withholding of medically indicated treatment from an infant with a disability with a life-threatening condition. The term "withholding of medically indicated treatment" means the failure to respond to the infant's life-threatening conditions by providing treatment, including appropriate nutrition, hydration, and medication which, in the treating physician's, advanced

practice registered nurse's, or physician assistant's reasonable medical judgment, will be most likely to be effective in ameliorating or correcting all conditions, except that the term does not include the failure to provide treatment other than appropriate nutrition, hydration, or medication to an infant when, in the treating physician's, advanced practice registered nurse's, or physician assistant's reasonable medical judgment:

(i) the infant is chronically and irreversibly comatose;

(ii) the provision of the treatment would merely prolong dying, not be effective in ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be futile in terms of the survival of the infant; or

(iii) the provision of the treatment would be virtually futile in terms of the survival of the infant and the treatment itself under the circumstances would be inhumane;

(6) is one whose parent, guardian, or other custodian for good cause desires to be relieved of the child's care and custody, including a child who entered foster care under a voluntary placement agreement between the parent and the responsible social services agency under section 260C.227;

(7) has been placed for adoption or care in violation of law;

(8) is without proper parental care because of the emotional, mental, or physical disability, or state of immaturity of the child's parent, guardian, or other custodian;

(9) is one whose behavior, condition, or environment is such as to be injurious or dangerous to the child or others. An injurious or dangerous environment may include, but is not limited to, the exposure of a child to criminal activity in the child's home;

(10) is experiencing growth delays, which may be referred to as failure to thrive, that have been diagnosed by a physician and are due to parental neglect;

(11) is a sexually exploited youth;

(12) is a labor trafficked youth;

~~(12)~~ (13) has committed a delinquent act or a juvenile petty offense before becoming ten years old;

~~(13)~~ (14) is a runaway;

~~(14)~~ (15) is a habitual truant;

~~(15)~~ (16) has been found incompetent to proceed or has been found not guilty by reason of mental illness or mental deficiency in connection with a delinquency proceeding, a

certification under section 260B.125, an extended jurisdiction juvenile prosecution, or a proceeding involving a juvenile petty offense; or

~~(16)~~ (17) has a parent whose parental rights to one or more other children were involuntarily terminated or whose custodial rights to another child have been involuntarily transferred to a relative and there is a case plan prepared by the responsible social services agency documenting a compelling reason why filing the termination of parental rights petition under section 260C.503, subdivision 2, is not in the best interests of the child.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 5. Minnesota Statutes 2022, section 260C.007, is amended by adding a subdivision to read:

Subd. 33. **Labor trafficked youth.** For the purposes of this section, "labor trafficked youth" means a child, as defined in subdivision 4, who:

(1) is a labor trafficking victim as defined in section 609.281, subdivision 6; or

(2) is a victim of severe forms of trafficking in persons as defined in United States Code, title 22, section 7102(11)(B).

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 6. Minnesota Statutes 2022, section 260C.007, is amended by adding a subdivision to read:

Subd. 34. **Human trafficking.** For purposes of this section, "human trafficking" includes labor trafficking as defined in section 609.281, subdivision 5; sex trafficking as defined in section 609.321, subdivision 7a; and severe forms of trafficking in persons as defined in United States Code, title 22, section 7102(11).

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 7. Minnesota Statutes 2022, section 260C.212, subdivision 13, is amended to read:

~~Subd. 13. **Protecting Responding to missing and runaway children and youth at risk of sex and preventing human trafficking or commercial sexual exploitation.** (a)~~
For purposes of this subdivision, "missing child or youth" means a child, as defined by section 260C.007, subdivision 4, who is under the legal custody of a responsible social services agency, as defined by section 260C.007, subdivision 22, and is absent from the foster care setting, including family foster home, residential facility or independent living setting, or home of the parent or guardian during a trial home visit, and cannot be located.

7.1 ~~(a)~~ (b) The ~~local~~ responsible social services agency shall develop protocols to
7.2 expeditiously locate any missing child ~~missing from foster care or youth.~~

7.3 ~~(b)~~ (c) When the local responsible social services agency shall report learns that a child
7.4 or youth is missing, the agency staff must immediately, but no later than 24 hours; after
7.5 receiving information on a missing or abducted child:

7.6 (1) report to the local law enforcement agency for entry into the National Crime
7.7 Information Center (NCIC) database of the Federal Bureau of Investigation, and to the
7.8 National Center for Missing and Exploited Children and document having made this report.
7.9 When making a report to local law enforcement and National Center for Missing and
7.10 Exploited Children, the agency must include, when reasonably possible:

7.11 (i) a photo of the child or youth;

7.12 (ii) a description of the child or youth's physical features, such as height, weight, sex,
7.13 ethnicity, race, hair color, and eye color; and

7.14 (iii) endangerment information, such as the child or youth's pregnancy status,
7.15 prescriptions, medications, suicidal tendencies, vulnerability to being trafficked, and other
7.16 health or risk factors; and

7.17 (2) notify the court, parties to the case, parents and relatives who are not parties as the
7.18 agency deems appropriate, and any Tribe who has legal responsibility or received notice
7.19 under section 260.761, subdivision 2, but has not yet determined enrollment or eligibility
7.20 status.

7.21 ~~(e)~~ (d) While the child or youth is missing, the local responsible social services agency
7.22 shall must:

7.23 (1) implement protocols to expeditiously locate the child or youth;

7.24 (2) maintain regular communication with law enforcement agencies and the National
7.25 Center for Missing and Exploited Children in efforts to provide a safe recovery of the missing
7.26 child or youth and document this communication;

7.27 (3) share information pertaining to the child or youth's recovery, and circumstances
7.28 related to recovery, with law enforcement agencies and the National Center for Missing
7.29 and Exploited Children; and

7.30 (4) not discharge a child or youth from foster care or close the social services case until
7.31 diligent efforts have been exhausted to locate the child or youth and the court terminates
7.32 the agency's jurisdiction.

8.1 ~~(d)~~ (e) When the child or youth is located, the ~~local~~ responsible social services agency
8.2 shall must:

8.3 (1) notify all individuals and agencies that require notification in paragraph (c) of the
8.4 child or youth's return;

8.5 (2) interview the child or youth to determine and document, on a form approved by the
8.6 commissioner of human services, what the child or youth experienced while missing and
8.7 the primary factors that contributed to the child's running away or otherwise being absent
8.8 child or youth's absence from care and;

8.9 (3) to the extent possible and appropriate, respond to these the primary contributing
8.10 factors in current and subsequent placements;

8.11 ~~(e) The local social services agency shall determine what the child experienced while~~
8.12 ~~absent from care, including screening~~ (4) screen the child or youth's reported experience
8.13 to determine identify if the child or youth is a possible sex victim of human trafficking or
8.14 commercial sexual exploitation victim, as defined in section 260C.007, subdivision 34 33.

8.15 ~~(f)~~ (5) if the child or youth is identified to have been a victim of human trafficking, the
8.16 ~~local social services agency shall must~~ report immediately, but no later than 24 hours, to
8.17 ~~the local law enforcement agency any reasonable cause to believe a child is, or is at risk of~~
8.18 ~~being, a sex trafficking or commercial sexual exploitation victim.~~

8.19 ~~(g)~~ (f) With respect to any child or youth for whom the responsible social services agency
8.20 has responsibility for placement, care, or supervision, the local responsible social services
8.21 agency shall determine;

8.22 (1) identify and document any reasonable cause to believe that the child or youth is a
8.23 human trafficking victim as defined in section 260C.007, subdivision 33, or a youth at risk
8.24 of sex trafficking or commercial sexual exploitation as defined by the commissioner of
8.25 human services; and

8.26 (2) provide access to appropriate services, which may include services under Safe Harbor,
8.27 as described in section 145.4717 145.4716, with respect to any child for whom the local
8.28 ~~social services agency has responsibility for placement, care, or supervision when the local~~
8.29 ~~social services agency has reasonable cause to believe that the child is, or is at risk of being,~~
8.30 ~~a sex trafficking or commercial sexual exploitation victim.~~ amending the child or youth's
8.31 out-of-home placement plan in subdivision 1, as necessary.

8.32 **EFFECTIVE DATE.** This section is effective July 1, 2024, except for paragraph (f),
8.33 which is effective July 1, 2025.

9.1 Sec. 8. Minnesota Statutes 2023 Supplement, section 260E.02, subdivision 1, is amended
9.2 to read:

9.3 Subdivision 1. **Establishment of team.** A county shall establish a multidisciplinary
9.4 child protection team that may include, but is not limited to, the director of the local welfare
9.5 agency or designees, the county attorney or designees, the county sheriff or designees,
9.6 representatives of health and education, representatives of mental health, representatives of
9.7 agencies providing specialized services or responding to youth who experience or are at
9.8 risk of experiencing sex or labor trafficking or sexual exploitation, or other appropriate
9.9 human services or community-based agencies, and parent groups. As used in this section,
9.10 a "community-based agency" may include, but is not limited to, schools, social services
9.11 agencies, family service and mental health collaboratives, children's advocacy centers, early
9.12 childhood and family education programs, Head Start, or other agencies serving children
9.13 and families. A member of the team must be designated as the lead person of the team
9.14 responsible for the planning process to develop standards for the team's activities with
9.15 battered women's and domestic abuse programs and services.

9.16 **EFFECTIVE DATE.** This section is effective July 1, 2025.

9.17 Sec. 9. Minnesota Statutes 2022, section 260E.03, is amended by adding a subdivision to
9.18 read:

9.19 Subd. 11a. **Labor trafficking.** "Labor trafficking" means the subjection of a child to
9.20 the acts listed in section 609.281, subdivision 5, limited to the purposes of forced or coerced
9.21 labor or services as defined by section 609.281, subdivision 4, and debt bondage as defined
9.22 by section 609.281, subdivision 3, regardless of whether the alleged offender is a
9.23 noncaregiver human trafficker as defined in subdivision 17a.

9.24 **EFFECTIVE DATE.** This section is effective July 1, 2025.

9.25 Sec. 10. Minnesota Statutes 2023 Supplement, section 260E.03, subdivision 15a, is
9.26 amended to read:

9.27 Subd. 15a. **Noncaregiver sex human trafficker.** "Noncaregiver ~~sex~~ human trafficker"
9.28 means an individual who is alleged to have engaged in the act of sex or labor trafficking a
9.29 child and who is not a person responsible for the child's care, who does not have a significant
9.30 relationship with the child as defined in section 609.341, ~~and who is not a person in a current~~
9.31 ~~or recent position of authority as defined in section 609.341, subdivision 10.~~

9.32 **EFFECTIVE DATE.** This section is effective July 1, 2025.

10.1 Sec. 11. Minnesota Statutes 2023 Supplement, section 260E.03, subdivision 15b, is
10.2 amended to read:

10.3 Subd. 15b. **Noncaregiver ~~sex~~ human trafficking assessment.** "Noncaregiver ~~sex~~ human
10.4 trafficking assessment" is a comprehensive assessment of child safety, the risk of subsequent
10.5 child maltreatment, and strengths and needs of the child and family. The local welfare
10.6 agency shall only perform a noncaregiver ~~sex~~ human trafficking assessment when a
10.7 maltreatment report alleges ~~sex~~ or labor trafficking of a child by someone other than the
10.8 child's caregiver. A noncaregiver ~~sex~~ human trafficking assessment does not include a
10.9 determination of whether child maltreatment occurred. A noncaregiver ~~sex~~ human trafficking
10.10 assessment includes a determination of a family's need for services to address the safety of
10.11 the child or children, the safety of family members, and the risk of subsequent child
10.12 maltreatment.

10.13 **EFFECTIVE DATE.** This section is effective July 1, 2025.

10.14 Sec. 12. Minnesota Statutes 2023 Supplement, section 260E.03, subdivision 22, is amended
10.15 to read:

10.16 Subd. 22. **Substantial child endangerment.** "Substantial child endangerment" means
10.17 that a person responsible for a child's care, by act or omission, commits or attempts to
10.18 commit an act against a child in the person's care that constitutes any of the following:

10.19 (1) egregious harm under subdivision 5;

10.20 (2) abandonment under section 260C.301, subdivision 2;

10.21 (3) neglect under subdivision 15, paragraph (a), clause (2), that substantially endangers
10.22 the child's physical or mental health, including a growth delay, which may be referred to
10.23 as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

10.24 (4) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

10.25 (5) manslaughter in the first or second degree under section 609.20 or 609.205;

10.26 (6) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

10.27 (7) sex trafficking, solicitation, inducement, or promotion of prostitution under section
10.28 609.322;

10.29 (8) criminal sexual conduct under sections 609.342 to 609.3451;

10.30 (9) sexual extortion under section 609.3458;

10.31 (10) solicitation of children to engage in sexual conduct under section 609.352;

11.1 (11) malicious punishment or neglect or endangerment of a child under section 609.377
11.2 or 609.378;

11.3 (12) use of a minor in sexual performance under section 617.246; ~~or~~

11.4 (13) labor trafficking under sections 609.281 and 609.282; or

11.5 ~~(13)~~ (14) parental behavior, status, or condition requiring the county attorney to file a
11.6 termination of parental rights petition under section 260C.503, subdivision 2.

11.7 **EFFECTIVE DATE.** This section is effective July 1, 2025.

11.8 Sec. 13. Minnesota Statutes 2022, section 260E.14, subdivision 3, is amended to read:

11.9 Subd. 3. **Neglect ~~or~~, physical abuse, or labor trafficking.** (a) The local welfare agency
11.10 is responsible for immediately conducting a family assessment or investigation if the report
11.11 alleges neglect or physical abuse by a parent, guardian, or individual functioning within the
11.12 family unit as a person responsible for the child's care.

11.13 (b) The local welfare agency is also responsible for assessing or investigating when a
11.14 child is identified as a victim of labor trafficking.

11.15 **EFFECTIVE DATE.** This section is effective July 1, 2025.

11.16 Sec. 14. Minnesota Statutes 2023 Supplement, section 260E.14, subdivision 5, is amended
11.17 to read:

11.18 Subd. 5. **Law enforcement.** (a) The local law enforcement agency is the agency
11.19 responsible for investigating a report of maltreatment if a violation of a criminal statute is
11.20 alleged.

11.21 (b) Law enforcement and the responsible agency must coordinate their investigations
11.22 or assessments as required under this chapter when: (1) a report alleges maltreatment that
11.23 is a violation of a criminal statute by a person who is a parent, guardian, sibling, person
11.24 responsible for the child's care within the family unit, or by a person who lives in the child's
11.25 household and who has a significant relationship to the child in a setting other than a facility
11.26 as defined in section 260E.03; or (2) a report alleges sex or labor trafficking of a child.

11.27 **EFFECTIVE DATE.** This section is effective July 1, 2025.

12.1 Sec. 15. Minnesota Statutes 2023 Supplement, section 260E.17, subdivision 1, is amended
12.2 to read:

12.3 Subdivision 1. **Local welfare agency.** (a) Upon receipt of a report, the local welfare
12.4 agency shall determine whether to conduct a family assessment, an investigation, or a
12.5 noncaregiver ~~sex~~ human trafficking assessment as appropriate to prevent or provide a remedy
12.6 for maltreatment.

12.7 (b) The local welfare agency shall conduct an investigation when the report involves
12.8 sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.

12.9 (c) The local welfare agency shall begin an immediate investigation at any time when
12.10 the local welfare agency is responding with a family assessment and the local welfare agency
12.11 determines that there is reason to believe that sexual abuse, substantial child endangerment,
12.12 or a serious threat to the child's safety exists.

12.13 (d) The local welfare agency may conduct a family assessment for reports that do not
12.14 allege sexual abuse, except as indicated in paragraph (f), or substantial child endangerment.
12.15 In determining that a family assessment is appropriate, the local welfare agency may consider
12.16 issues of child safety, parental cooperation, and the need for an immediate response.

12.17 (e) The local welfare agency may conduct a family assessment for a report that was
12.18 initially screened and assigned for an investigation. In determining that a complete
12.19 investigation is not required, the local welfare agency must document the reason for
12.20 terminating the investigation and notify the local law enforcement agency if the local law
12.21 enforcement agency is conducting a joint investigation.

12.22 (f) The local welfare agency shall conduct a noncaregiver ~~sex~~ human trafficking
12.23 assessment when a maltreatment report alleges ~~sex~~ or labor trafficking of a child and the
12.24 alleged offender is a noncaregiver ~~sex~~ human trafficker as defined by section 260E.03,
12.25 subdivision 15a.

12.26 (g) During a noncaregiver ~~sex~~ human trafficking assessment, the local welfare agency
12.27 shall initiate an immediate investigation if there is reason to believe that a child's parent,
12.28 caregiver, or household member allegedly engaged in the act of ~~sex~~ or labor trafficking a
12.29 child or was alleged to have engaged in any conduct requiring the agency to conduct an
12.30 investigation.

12.31 **EFFECTIVE DATE.** This section is effective July 1, 2025.

13.1 Sec. 16. Minnesota Statutes 2023 Supplement, section 260E.18, is amended to read:

13.2 **260E.18 NOTICE TO CHILD'S TRIBE.**

13.3 The local welfare agency shall provide immediate notice, according to section 260.761,
13.4 subdivision 2, to an Indian child's Tribe when the agency has reason to believe that the
13.5 family assessment, investigation, or noncaregiver ~~sex~~ human trafficking assessment may
13.6 involve an Indian child. For purposes of this section, "immediate notice" means notice
13.7 provided within 24 hours.

13.8 **EFFECTIVE DATE.** This section is effective July 1, 2025.

13.9 Sec. 17. Minnesota Statutes 2023 Supplement, section 260E.20, subdivision 2, is amended
13.10 to read:

13.11 Subd. 2. **Face-to-face contact.** (a) Upon receipt of a screened in report, the local welfare
13.12 agency shall have face-to-face contact with the child reported to be maltreated and with the
13.13 child's primary caregiver sufficient to complete a safety assessment and ensure the immediate
13.14 safety of the child. When it is possible and the report alleges substantial child endangerment
13.15 or sexual abuse, the local welfare agency is not required to provide notice before conducting
13.16 the initial face-to-face contact with the child and the child's primary caregiver.

13.17 (b) Except in a noncaregiver ~~sex~~ human trafficking assessment, the local welfare agency
13.18 shall have face-to-face contact with the child and primary caregiver immediately after the
13.19 agency screens in a report if sexual abuse or substantial child endangerment is alleged and
13.20 within five calendar days of a screened in report for all other reports. If the alleged offender
13.21 was not already interviewed as the primary caregiver, the local welfare agency shall also
13.22 conduct a face-to-face interview with the alleged offender in the early stages of the
13.23 assessment or investigation, except in a noncaregiver ~~sex~~ human trafficking assessment.
13.24 Face-to-face contact with the child and primary caregiver in response to a report alleging
13.25 sexual abuse or substantial child endangerment may be postponed for no more than five
13.26 calendar days if the child is residing in a location that is confirmed to restrict contact with
13.27 the alleged offender as established in guidelines issued by the commissioner, or if the local
13.28 welfare agency is pursuing a court order for the child's caregiver to produce the child for
13.29 questioning under section 260E.22, subdivision 5.

13.30 (c) At the initial contact with the alleged offender, the local welfare agency or the agency
13.31 responsible for assessing or investigating the report must inform the alleged offender of the
13.32 complaints or allegations made against the individual in a manner consistent with laws
13.33 protecting the rights of the person who made the report. The interview with the alleged

14.1 offender may be postponed if it would jeopardize an active law enforcement investigation.
14.2 In a noncaregiver ~~sex~~ human trafficking assessment, the local child welfare agency is not
14.3 required to inform or interview the alleged offender.

14.4 (d) The local welfare agency or the agency responsible for assessing or investigating
14.5 the report must provide the alleged offender with an opportunity to make a statement, except
14.6 in a noncaregiver ~~sex~~ human trafficking assessment. The alleged offender may submit
14.7 supporting documentation relevant to the assessment or investigation.

14.8 **EFFECTIVE DATE.** This section is effective July 1, 2025.

14.9 Sec. 18. Minnesota Statutes 2023 Supplement, section 260E.24, subdivision 2, is amended
14.10 to read:

14.11 Subd. 2. **Determination after family assessment or a noncaregiver ~~sex~~ human**
14.12 **trafficking assessment.** After conducting a family assessment or a noncaregiver ~~sex~~ human
14.13 trafficking assessment, the local welfare agency shall determine whether child protective
14.14 services are needed to address the safety of the child and other family members and the risk
14.15 of subsequent maltreatment. The local welfare agency must document the information
14.16 collected under section 260E.20, subdivision 3, related to the completed family assessment
14.17 in the child's or family's case notes.

14.18 **EFFECTIVE DATE.** This section is effective July 1, 2025.

14.19 Sec. 19. Minnesota Statutes 2023 Supplement, section 260E.24, subdivision 7, is amended
14.20 to read:

14.21 Subd. 7. **Notification at conclusion of family assessment or a noncaregiver ~~sex~~ human**
14.22 **trafficking assessment.** Within ten working days of the conclusion of a family assessment
14.23 or a noncaregiver ~~sex~~ human trafficking assessment, the local welfare agency shall notify
14.24 the parent or guardian of the child of the need for services to address child safety concerns
14.25 or significant risk of subsequent maltreatment. The local welfare agency and the family
14.26 may also jointly agree that family support and family preservation services are needed.

14.27 **EFFECTIVE DATE.** This section is effective July 1, 2025.

14.28 Sec. 20. Minnesota Statutes 2023 Supplement, section 260E.33, subdivision 1, is amended
14.29 to read:

14.30 Subdivision 1. **Following a family assessment or a noncaregiver ~~sex~~ human trafficking**
14.31 **assessment.** Administrative reconsideration is not applicable to a family assessment or

15.1 noncaregiver ~~sex~~ human trafficking assessment since no determination concerning
15.2 maltreatment is made.

15.3 **EFFECTIVE DATE.** This section is effective July 1, 2025.

15.4 Sec. 21. Minnesota Statutes 2023 Supplement, section 260E.35, subdivision 6, is amended
15.5 to read:

15.6 Subd. 6. **Data retention.** (a) Notwithstanding sections 138.163 and 138.17, a record
15.7 maintained or a record derived from a report of maltreatment by a local welfare agency,
15.8 agency responsible for assessing or investigating the report, court services agency, or school
15.9 under this chapter shall be destroyed as provided in paragraphs (b) to (e) by the responsible
15.10 authority.

15.11 (b) For a report alleging maltreatment that was not accepted for an assessment or an
15.12 investigation, a family assessment case, a noncaregiver ~~sex~~ human trafficking assessment
15.13 case, and a case where an investigation results in no determination of maltreatment or the
15.14 need for child protective services, the record must be maintained for a period of five years
15.15 after the date that the report was not accepted for assessment or investigation or the date of
15.16 the final entry in the case record. A record of a report that was not accepted must contain
15.17 sufficient information to identify the subjects of the report, the nature of the alleged
15.18 maltreatment, and the reasons why the report was not accepted. Records under this paragraph
15.19 may not be used for employment, background checks, or purposes other than to assist in
15.20 future screening decisions and risk and safety assessments.

15.21 (c) All records relating to reports that, upon investigation, indicate maltreatment or a
15.22 need for child protective services shall be maintained for ten years after the date of the final
15.23 entry in the case record.

15.24 (d) All records regarding a report of maltreatment, including a notification of intent to
15.25 interview that was received by a school under section 260E.22, subdivision 7, shall be
15.26 destroyed by the school when ordered to do so by the agency conducting the assessment or
15.27 investigation. The agency shall order the destruction of the notification when other records
15.28 relating to the report under investigation or assessment are destroyed under this subdivision.

15.29 (e) Private or confidential data released to a court services agency under subdivision 3,
15.30 paragraph (d), must be destroyed by the court services agency when ordered to do so by the
15.31 local welfare agency that released the data. The local welfare agency or agency responsible
15.32 for assessing or investigating the report shall order destruction of the data when other records
15.33 relating to the assessment or investigation are destroyed under this subdivision.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 22. Minnesota Statutes 2022, section 260E.36, subdivision 1a, is amended to read:

Subd. 1a. ~~Sex~~ **Human trafficking and, sexual exploitation and youth missing from care training requirement.** As required by the Child Abuse Prevention and Treatment Act amendments through Public Law 114-22 and to implement Public ~~Law~~ Laws 113-183 and 115-123, all child protection social workers and social services staff who have responsibility for child protective duties under this chapter or chapter 260C shall complete training implemented by the commissioner of human services regarding ~~sex~~ identification, prevention and response to human trafficking and sexual exploitation of children and youth, including prevention for youth missing from care.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 23. **REVISOR INSTRUCTION.**

The revisor of statutes shall renumber the subdivisions in Minnesota Statutes, section 260E.03, in alphabetical order except for subdivision 1 and correct any cross-reference changes that result.

ARTICLE 2

CHILD CARE LICENSING

Section 1. **[142B.171] CHILD CARE WEIGHTED RISK SYSTEM.**

Subdivision 1. **Implementation.** The commissioner shall develop and implement a child care weighted risk system that provides a tiered licensing enforcement framework for child care licensing requirements in this chapter or Minnesota Rules, chapter 9502 or 9503.

Subd. 2. **Documented technical assistance.** (a) In lieu of a correction order under section 142B.16, the commissioner shall provide documented technical assistance to a family child care or child care center license holder if the commissioner finds that:

(1) the license holder has failed to comply with a requirement in this chapter or Minnesota Rules, chapter 9502 or 9503, that the commissioner determines to be low risk as determined by the child care weighted risk system;

(2) the noncompliance does not imminently endanger the health, safety, or rights of the persons served by the program; and

17.1 (3) the license holder did not receive documented technical assistance or a correction
17.2 order for the same violation at the license holder's most recent annual licensing inspection.

17.3 (b) Documented technical assistance must include communication from the commissioner
17.4 to the child care provider that:

17.5 (1) states the conditions that constitute a violation of a law or rule;

17.6 (2) references the specific law or rule violated; and

17.7 (3) explains remedies for correcting the violation.

17.8 (c) The commissioner shall not publicly publish documented technical assistance on the
17.9 department's website.

17.10 Sec. 2. **REPEALER.**

17.11 Minnesota Statutes 2022, section 245A.065, is repealed.

17.12 **ARTICLE 3**

17.13 **TECHNICAL CORRECTIONS**

17.14 Section 1. Minnesota Statutes 2022, section 245.975, subdivision 2, is amended to read:

17.15 Subd. 2. **Duties.** (a) The ombudsperson's duties shall include:

17.16 (1) advocating on behalf of a family child care provider to address all areas of concern
17.17 related to the provision of child care services, including licensing monitoring activities,
17.18 licensing actions, and other interactions with state and county licensing staff;

17.19 (2) providing recommendations for family child care improvement or family child care
17.20 provider education;

17.21 (3) operating a telephone line to answer questions, receive complaints, and discuss
17.22 agency actions when a family child care provider believes that the provider's rights or
17.23 program may have been adversely affected; and

17.24 (4) assisting a family child care license applicant with navigating the application process.

17.25 (b) The ombudsperson must report annually by December 31 to the commissioner of
17.26 children, youth, and families and the chairs and ranking minority members of the legislative
17.27 committees with jurisdiction over child care on the services provided by the ombudsperson
17.28 to child care providers, including the number and locations of child care providers served
17.29 and the activities of the ombudsperson in carrying out the duties under this section. The

18.1 commissioner shall determine the form of the report and may specify additional reporting
18.2 requirements.

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

18.4 Subd. 4. **Access to records.** (a) The ombudsperson or designee, excluding volunteers,
18.5 has access to any data of a state agency necessary for the discharge of the ombudsperson's
18.6 duties, including records classified as confidential data on individuals or private data on
18.7 individuals under chapter 13 or any other law. The ombudsperson's data request must relate
18.8 to a specific case and is subject to section 13.03, subdivision 4. If the data concerns an
18.9 individual, the ombudsperson or designee shall first obtain the individual's consent. If the
18.10 individual is unable to consent and has no parent or legal guardian, then the ombudsperson's
18.11 or designee's access to the data is authorized by this section.

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

18.15 (c) The commissioner of human services; the commissioner of children, youth, and
18.16 families; and any county agency must provide the ombudsperson copies of all fix-it tickets,
18.17 correction orders, and licensing actions issued to family child care providers.

18.18 Sec. 3. Minnesota Statutes 2022, section 245.975, subdivision 9, is amended to read:

18.19 Subd. 9. **Posting.** (a) The commissioner of children, youth, and families shall post on
18.20 the department's website the mailing address, email address, and telephone number for the
18.21 office of the ombudsperson. The commissioner shall provide family child care providers
18.22 with the mailing address, email address, and telephone number of the ombudsperson's office
18.23 on the family child care licensing website and upon request of a family child care applicant
18.24 or provider. Counties must provide family child care applicants and providers with the
18.25 name, mailing address, email address, and telephone number of the ombudsperson's office
18.26 upon request.

18.27 (b) The ombudsperson must approve all postings and notices required by the department
18.28 and counties under this subdivision.

18.29 Sec. 4. **REPEALER.**

18.30 Minnesota Statutes 2022, section 245.975, subdivision 8, is repealed.

19.1 **ARTICLE 4**

19.2 **DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

19.3 **Section 1. [142A.045] CHILDREN, YOUTH, AND FAMILIES**
19.4 **INTERGOVERNMENTAL ADVISORY COMMITTEE.**

19.5 (a) An intergovernmental advisory committee is established to provide advice,
19.6 consultation, and recommendations to the commissioner on the planning, design,
19.7 administration, funding, and evaluation of services to children, youth, and families.
19.8 Notwithstanding section 15.059, the commissioner, the Association of Minnesota Counties,
19.9 and the Minnesota Association of County Social Services Administrators must codevelop
19.10 and execute a process to administer the committee that ensures each county is represented.
19.11 The committee must meet at least quarterly and special meetings may be called by the
19.12 committee chair or a majority of the members.

19.13 (b) Subject to section 15.059, the commissioner may reimburse committee members or
19.14 their alternates for allowable expenses while engaged in their official duties as committee
19.15 members.

19.16 (c) Notwithstanding section 15.059, the intergovernmental advisory committee does not
19.17 expire.

19.18 **Sec. 2. [142B.47] TRAINING ON RISK OF SUDDEN UNEXPECTED INFANT**
19.19 **DEATH AND ABUSIVE HEAD TRAUMA FOR CHILD FOSTER CARE**
19.20 **PROVIDERS.**

19.21 (a) Licensed child foster care providers that care for infants or children through five
19.22 years of age must document that before caregivers assist in the care of infants or children
19.23 through five years of age, they are instructed on the standards in section 142B.46 and receive
19.24 training on reducing the risk of sudden unexpected infant death and abusive head trauma
19.25 from shaking infants and young children. This section does not apply to emergency relative
19.26 placement under section 142B.06. The training on reducing the risk of sudden unexpected
19.27 infant death and abusive head trauma may be provided as:

19.28 (1) orientation training to child foster care providers who care for infants or children
19.29 through five years of age under Minnesota Rules, part 2960.3070, subpart 1; or

19.30 (2) in-service training to child foster care providers who care for infants or children
19.31 through five years of age under Minnesota Rules, part 2960.3070, subpart 2.

(b) Training required under this section must be at least one hour in length and must be completed at least once every five years. At a minimum, the training must address the risk factors related to sudden unexpected infant death and abusive head trauma, means of reducing the risk of sudden unexpected infant death and abusive head trauma, and license holder communication with parents regarding reducing the risk of sudden unexpected infant death and abusive head trauma.

(c) Training for child foster care providers must be approved by the county or private licensing agency that is responsible for monitoring the child foster care provider under section 142B.30. The approved training fulfills, in part, training required under Minnesota Rules, part 2960.3070.

Sec. 3. Minnesota Statutes 2022, section 245A.07, subdivision 6, is amended to read:

Subd. 6. Appeal of multiple sanctions. (a) When the license holder appeals more than one licensing action or sanction that were simultaneously issued by the commissioner, the license holder shall specify the actions or sanctions that are being appealed.

(b) If there are different timelines prescribed in statutes for the licensing actions or sanctions being appealed, the license holder must submit the appeal within the longest of those timelines specified in statutes.

(c) The appeal must be made in writing by certified mail ~~or~~, by personal service, or through the provider licensing and reporting hub. If mailed, the appeal must be postmarked and sent to the commissioner within the prescribed timeline with the first day beginning the day after the license holder receives the certified letter. If a request is made by personal service, it must be received by the commissioner within the prescribed timeline with the first day beginning the day after the license holder receives the certified letter. If the appeal is made through the provider hub, the appeal must be received by the commissioner within the prescribed timeline with the first day beginning the day after the commissioner issued the order through the hub.

(d) When there are different timelines prescribed in statutes for the appeal of licensing actions or sanctions simultaneously issued by the commissioner, the commissioner shall specify in the notice to the license holder the timeline for appeal as specified under paragraph (b).

21.1 Sec. 4. Minnesota Statutes 2022, section 245A.10, subdivision 1, as amended by Laws
21.2 2024, chapter 80, article 2, section 48, is amended to read:

21.3 Subdivision 1. **Application or license fee required, programs exempt from fee.** (a)
21.4 Unless exempt under paragraph (b), the commissioner shall charge a fee for evaluation of
21.5 applications and inspection of programs which are licensed under this chapter.

21.6 (b) Except as provided under subdivision 2, no application or license fee shall be charged
21.7 for a child foster residence setting, adult foster care, or a community residential setting.

21.8 Sec. 5. Minnesota Statutes 2022, section 245A.10, subdivision 2, as amended by Laws
21.9 2024, chapter 80, article 2, section 49, is amended to read:

21.10 Subd. 2. **County fees for applications and licensing inspections.** (a) For purposes of
21.11 adult foster care and child foster residence setting licensing and licensing the physical plant
21.12 of a community residential setting, under this chapter, a county agency may charge a fee to
21.13 a corporate applicant or corporate license holder to recover the actual cost of licensing
21.14 inspections, not to exceed \$500 annually.

21.15 (b) Counties may elect to reduce or waive the fees in paragraph (a) under the following
21.16 circumstances:

21.17 (1) in cases of financial hardship;

21.18 (2) if the county has a shortage of providers in the county's area; or

21.19 (3) for new providers.

21.20 Sec. 6. Minnesota Statutes 2022, section 245A.144, is amended to read:

21.21 **245A.144 TRAINING ON RISK OF SUDDEN UNEXPECTED INFANT DEATH**
21.22 **AND ABUSIVE HEAD TRAUMA FOR CHILD FOSTER CARE PROVIDERS.**

21.23 (a) Licensed child foster care providers that care for infants or children through five
21.24 years of age must document that before staff persons ~~and caregivers~~ assist in the care of
21.25 infants or children through five years of age, they are instructed on the standards in section
21.26 ~~245A.1435~~ 142B.46 and receive training on reducing the risk of sudden unexpected infant
21.27 death and abusive head trauma from shaking infants and young children. ~~This section does~~
21.28 ~~not apply to emergency relative placement under section 245A.035.~~ The training on reducing
21.29 the risk of sudden unexpected infant death and abusive head trauma may be provided as:

21.30 (1) orientation training to child foster care providers, who care for infants or children
21.31 through five years of age, under Minnesota Rules, part 2960.3070, subpart 1; or

(2) in-service training to child foster care providers, who care for infants or children through five years of age, under Minnesota Rules, part 2960.3070, subpart 2.

(b) Training required under this section must be at least one hour in length and must be completed at least once every five years. At a minimum, the training must address the risk factors related to sudden unexpected infant death and abusive head trauma, means of reducing the risk of sudden unexpected infant death and abusive head trauma, and license holder communication with parents regarding reducing the risk of sudden unexpected infant death and abusive head trauma.

(c) Training for child foster care providers must be approved by the county ~~or private licensing agency~~ that is responsible for monitoring the child foster care provider under section 245A.16. The approved training fulfills, in part, training required under Minnesota Rules, part 2960.3070.

Sec. 7. Minnesota Statutes 2023 Supplement, section 245A.16, subdivision 1, as amended by Laws 2024, chapter 80, article 2, section 65, is amended to read:

Subdivision 1. **Delegation of authority to agencies.** (a) County agencies that have been designated by the commissioner to perform licensing functions and activities under section 245A.04; to recommend denial of applicants under section 245A.05; to issue correction orders, to issue variances, and recommend a conditional license under section 245A.06; or to recommend suspending or revoking a license or issuing a fine under section 245A.07, shall comply with rules and directives of the commissioner governing those functions and with this section. The following variances are excluded from the delegation of variance authority and may be issued only by the commissioner:

(1) ~~dual licensure of family child foster care and family adult foster care, dual licensure of child foster residence setting and community residential setting, and dual licensure of family adult foster care and family child care;~~

(2) until the responsibility for family child foster care transfers to the commissioner of children, youth, and families under Laws 2023, chapter 70, article 12, section 30, dual licensure of family child foster care and family adult foster care;

(3) until the responsibility for family child care transfers to the commissioner of children, youth, and families under Laws 2023, chapter 70, article 12, section 30, dual licensure of family adult foster care and family child care;

(4) adult foster care maximum capacity;

~~(3)~~ (5) adult foster care minimum age requirement;

- 23.1 ~~(4)~~ (6) child foster care maximum age requirement;
- 23.2 ~~(5)~~ (7) variances regarding disqualified individuals;
- 23.3 ~~(6)~~ (8) the required presence of a caregiver in the adult foster care residence during
- 23.4 normal sleeping hours;
- 23.5 ~~(7)~~ (9) variances to requirements relating to chemical use problems of a license holder
- 23.6 or a household member of a license holder; and
- 23.7 ~~(8)~~ (10) variances to section 142B.46 for the use of a cradleboard for a cultural
- 23.8 accommodation.
- 23.9 (b) Once the respective responsibilities transfer from the commissioner of human services
- 23.10 to the commissioner of children, youth, and families, under Laws 2023, chapter 70, article
- 23.11 12, section 30, the commissioners of human services and children, youth, and families must
- 23.12 both approve a variance for dual licensure of family child foster care and family adult foster
- 23.13 care or family adult foster care and family child care. Variances under this paragraph are
- 23.14 excluded from the delegation of variance authority and may be issued only by both
- 23.15 commissioners.
- 23.16 ~~(b)~~ (c) For family adult day services programs, the commissioner may authorize licensing
- 23.17 reviews every two years after a licensee has had at least one annual review.
- 23.18 ~~(e)~~ (d) A license issued under this section may be issued for up to two years.
- 23.19 ~~(d)~~ (e) During implementation of chapter 245D, the commissioner shall consider:
- 23.20 (1) the role of counties in quality assurance;
- 23.21 (2) the duties of county licensing staff; and
- 23.22 (3) the possible use of joint powers agreements, according to section 471.59, with counties
- 23.23 through which some licensing duties under chapter 245D may be delegated by the
- 23.24 commissioner to the counties.
- 23.25 Any consideration related to this paragraph must meet all of the requirements of the corrective
- 23.26 action plan ordered by the federal Centers for Medicare and Medicaid Services.
- 23.27 ~~(e)~~ (f) Licensing authority specific to section 245D.06, subdivisions 5, 6, 7, and 8, or
- 23.28 successor provisions; and section 245D.061 or successor provisions, for family child foster
- 23.29 care programs providing out-of-home respite, as identified in section 245D.03, subdivision
- 23.30 1, paragraph (b), clause (1), is excluded from the delegation of authority to county agencies.

24.1 Sec. 8. Minnesota Statutes 2022, section 245A.175, is amended to read:

24.2 **245A.175 CHILD FOSTER CARE TRAINING REQUIREMENT; MENTAL**
24.3 **HEALTH TRAINING; FETAL ALCOHOL SPECTRUM DISORDERS TRAINING.**

24.4 Prior to a nonemergency placement of a child in a foster care home, the child foster care
24.5 license holder and ~~caregivers in foster family and treatment foster care settings~~, and all staff
24.6 providing care in foster residence settings must complete two hours of training that addresses
24.7 the causes, symptoms, and key warning signs of mental health disorders; cultural
24.8 considerations; and effective approaches for dealing with a child's behaviors. At least one
24.9 hour of the annual training requirement for the ~~foster family license holder and caregivers,~~
24.10 ~~and~~ foster residence staff must be on children's mental health issues and treatment. Except
24.11 for providers and services under chapter 245D, the annual training must also include at least
24.12 one hour of training on fetal alcohol spectrum disorders, which must be counted toward the
24.13 12 hours of required in-service training per year. ~~Short-term substitute caregivers are exempt~~
24.14 ~~from these requirements.~~ Training curriculum shall be approved by the commissioner of
24.15 human services.

24.16 Sec. 9. Minnesota Statutes 2023 Supplement, section 245A.66, subdivision 4, as amended
24.17 by Laws 2024, chapter 80, article 2, section 73, is amended to read:

24.18 Subd. 4. **Ongoing training requirement.** (a) In addition to the orientation training
24.19 required by the applicable licensing rules and statutes, children's residential facility license
24.20 holders must provide a training annually on the maltreatment of minors reporting
24.21 requirements and definitions in chapter 260E to each mandatory reporter, as described in
24.22 section 260E.06, subdivision 1.

24.23 (b) In addition to the orientation training required by the applicable licensing rules and
24.24 statutes, all foster residence setting staff and volunteers that are mandatory reporters as
24.25 described in section 260E.06, subdivision 1, must complete training each year on the
24.26 maltreatment of minors reporting requirements and definitions in chapter 260E.

24.27 Sec. 10. Minnesota Statutes 2022, section 256.029, as amended by Laws 2024, chapter
24.28 80, article 1, section 66, is amended to read:

24.29 **256.029 DOMESTIC VIOLENCE INFORMATIONAL BROCHURE.**

24.30 (a) The commissioner shall provide a domestic violence informational brochure that
24.31 provides information about the existence of domestic violence waivers for eligible public
24.32 assistance applicants to all applicants of general assistance, medical assistance, and
24.33 MinnesotaCare. The brochure must explain that eligible applicants may be temporarily

25.1 waived from certain program requirements due to domestic violence. The brochure must
25.2 provide information about services and other programs to help victims of domestic violence.

25.3 (b) The brochure must be funded with TANF funds.

25.4 (c) The commissioner must work with the commissioner of children, youth, and families
25.5 to create a brochure that meets the requirements of this section and section 142G.05.

25.6 Sec. 11. Minnesota Statutes 2023 Supplement, section 256M.42, is amended by adding a
25.7 subdivision to read:

25.8 Subd. 7. **Adult protection grant allocation under Reform 2020.** The requirements of
25.9 subdivisions 2 to 6 apply to the Reform 2020 adult protection state grants in Minnesota
25.10 Statutes 2013 Supplement, section 256M.40, subdivision 1, and Laws 2013, chapter 108,
25.11 article 15. The Reform 2020 state adult protection grant must be allocated annually consistent
25.12 with the calendar year 2023 allocation made under section 256M.40.

25.13 Sec. 12. Laws 2023, chapter 70, article 12, section 30, subdivision 2, is amended to read:

25.14 Subd. 2. **Department of Human Services.** The powers and duties of the Department
25.15 of Human Services with respect to the following responsibilities and related elements are
25.16 transferred to the Department of Children, Youth, and Families according to Minnesota
25.17 Statutes, section 15.039:

25.18 (1) family services and community-based collaboratives under Minnesota Statutes,
25.19 section 124D.23;

25.20 (2) child care programs under Minnesota Statutes, chapter 119B;

25.21 (3) Parent Aware quality rating and improvement system under Minnesota Statutes,
25.22 section 124D.142;

25.23 (4) migrant child care services under Minnesota Statutes, section 256M.50;

25.24 (5) early childhood and school-age professional development training under Laws 2007,
25.25 chapter 147, article 2, section 56;

25.26 (6) licensure of family child care and child care centers, child foster care, and private
25.27 child placing agencies under Minnesota Statutes, chapter 245A;

25.28 (7) certification of license-exempt child care centers under Minnesota Statutes, chapter
25.29 245H;

- 26.1 (8) program integrity and fraud related to the Child Care Assistance Program (CCAP),
26.2 the Minnesota Family Investment Program (MFIP), and the Supplemental Nutrition
26.3 Assistance Program (SNAP) under Minnesota Statutes, chapters 119B and 245E;
- 26.4 (9) SNAP under Minnesota Statutes, sections 256D.60 to 256D.63;
- 26.5 (10) electronic benefit transactions under Minnesota Statutes, sections 256.9862,
26.6 256.9863, 256.9865, 256.987, 256.9871, 256.9872, and 256J.77;
- 26.7 (11) Minnesota food assistance program under Minnesota Statutes, section 256D.64;
- 26.8 (12) Minnesota food shelf program under Minnesota Statutes, section 256E.34;
- 26.9 (13) MFIP and Temporary Assistance for Needy Families (TANF) under Minnesota
26.10 Statutes, sections 256.9864 and 256.9865 and chapters 256J and 256P;
- 26.11 (14) Diversionary Work Program (DWP) under Minnesota Statutes, section 256J.95;
- 26.12 (15) ~~resettlement programs under Minnesota Statutes, section 256B.06, subdivision 6.~~
26.13 American Indian food sovereignty program under Minnesota Statutes, section 256E.342;
- 26.14 (16) child abuse under Minnesota Statutes, chapter 256E;
- 26.15 (17) reporting of the maltreatment of minors under Minnesota Statutes, chapter 260E;
- 26.16 (18) children in voluntary foster care for treatment under Minnesota Statutes, chapter
26.17 260D;
- 26.18 (19) juvenile safety and placement under Minnesota Statutes, chapter 260C;
- 26.19 (20) the Minnesota Indian Family Preservation Act under Minnesota Statutes, sections
26.20 260.751 to 260.835;
- 26.21 (21) the Interstate Compact for Juveniles under Minnesota Statutes, section 260.515,
26.22 and the Interstate Compact on the Placement of Children under Minnesota Statutes, sections
26.23 260.851 to 260.93;
- 26.24 (22) adoption under Minnesota Statutes, sections 259.20 to 259.89;
- 26.25 (23) Northstar Care for Children under Minnesota Statutes, chapter 256N;
- 26.26 (24) child support under Minnesota Statutes, chapters 13, 13B, 214, 256, 256J, 257, 259,
26.27 518, 518A, 518C, 551, 552, 571, and 588, and Minnesota Statutes, section 609.375;
- 26.28 (25) community action programs under Minnesota Statutes, sections 256E.30 to 256E.32;
26.29 ~~and~~

- 27.1 (26) Family Assets for Independence in Minnesota under Minnesota Statutes, section
27.2 256E.35~~;~~;
- 27.3 (27) capital for emergency food distribution facilities under Laws 2023, chapter 70,
27.4 article 20, section 2, subdivision 24, paragraph (i);
- 27.5 (28) community resource centers under Laws 2023, chapter 70, article 14, section 42;
- 27.6 (29) diaper distribution grant program under Minnesota Statutes, section 256E.38;
- 27.7 (30) emergency services program under Minnesota Statutes, section 256E.36;
- 27.8 (31) emergency shelter facilities grants under Laws 2023, chapter 70, article 11, section
27.9 14;
- 27.10 (32) Family First Prevention Services Act support and development grant program under
27.11 Minnesota Statutes, section 256.4793;
- 27.12 (33) Family First Prevention Services Act kinship navigator program under Minnesota
27.13 Statutes, section 256.4794;
- 27.14 (34) family first prevention and early intervention allocation program under Minnesota
27.15 Statutes, section 260.014;
- 27.16 (35) grants for prepared meals food relief under Laws 2023, chapter 70, article 12, section
27.17 33;
- 27.18 (36) Homeless Youth Act under Minnesota Statutes, sections 256K.45 to 256K.451;
- 27.19 (37) homeless youth cash stipend pilot under Laws 2023, chapter 70, article 11, section
27.20 13;
- 27.21 (38) independent living skills for foster youth under Laws 2023, chapter 70, article 14,
27.22 section 41;
- 27.23 (39) legacy adoption assistance under Minnesota Statutes, chapter 259A;
- 27.24 (40) opiate epidemic response fund under Minnesota Statutes, section 256.043;
- 27.25 (41) quality parenting initiative grant program under Laws 2023, chapter 70, article 14,
27.26 section 1;
- 27.27 (42) relative custody assistance under Minnesota Statutes, section 257.85;
- 27.28 (43) reimbursement to counties and Tribes for certain out-of-home placements under
27.29 Minnesota Statutes, section 477A.0126;
- 27.30 (44) safe harbor shelter and housing under Minnesota Statutes, section 256K.47;

28.1 (45) shelter-linked youth mental health grants under Minnesota Statutes, section 256K.46;

28.2 (46) Supplemental Nutrition Assistance Program outreach under Minnesota Statutes,
28.3 section 256D.65; and

28.4 (47) transitional housing programs under Minnesota Statutes, section 256E.33.

28.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

28.6 Sec. 13. Laws 2023, chapter 70, article 12, section 30, subdivision 3, is amended to read:

28.7 Subd. 3. **Department of Education.** The powers and duties of the Department of
28.8 Education with respect to the following responsibilities and related elements are transferred
28.9 to the Department of Children, Youth, and Families according to Minnesota Statutes, section
28.10 15.039:

28.11 (1) Head Start Program and Early Head Start under Minnesota Statutes, sections 119A.50
28.12 to 119A.545;

28.13 (2) the early childhood screening program under Minnesota Statutes, sections 121A.16
28.14 to 121A.19;

28.15 (3) early learning scholarships under Minnesota Statutes, section 124D.165;

28.16 (4) the interagency early childhood intervention system under Minnesota Statutes,
28.17 sections 125A.259 to 125A.48;

28.18 (5) voluntary prekindergarten programs and school readiness plus programs under
28.19 Minnesota Statutes, section 124D.151;

28.20 (6) early childhood family education programs under Minnesota Statutes, sections
28.21 124D.13 to 124D.135;

28.22 (7) school readiness under Minnesota Statutes, sections 124D.15 to 124D.16; ~~and~~

28.23 (8) after-school community learning programs under Minnesota Statutes, section
28.24 124D.2211; and

28.25 (9) grow your own program under Minnesota Statutes, section 122A.731.

28.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

28.27 Sec. 14. Laws 2024, chapter 80, article 1, section 34, subdivision 2, is amended to read:

28.28 Subd. 2. **Definitions.** (a) For purposes of this section, the following definitions have the
28.29 meanings given.

29.1 (b) "Associated entity" means a provider or vendor owned or controlled by an excluded
29.2 individual.

29.3 (c) "Associated individual" means an individual or entity that has a relationship with
29.4 the business or its owners or controlling individuals, such that the individual or entity would
29.5 have knowledge of the financial practices of the program in question.

29.6 (d) "Excluded" means removed under other authorities from a program administered by
29.7 a Minnesota state or federal agency, including a final determination to stop payments.

29.8 (e) "Individual" means a natural person providing products or services as a provider or
29.9 vendor.

29.10 (f) "Provider" means any entity, individual, owner, controlling individual, license holder,
29.11 director, or managerial official of an entity receiving payment from a program administered
29.12 by a Minnesota state or federal agency.

29.13 (g) "Vendor" means a private individual or entity contracted to provide services for, on
29.14 behalf of, or with money provided by the commissioner.

29.15 Sec. 15. Laws 2024, chapter 80, article 1, section 96, is amended to read:

29.16 Sec. 96. **REVISOR INSTRUCTION.**

29.17 The revisor of statutes must renumber sections or subdivisions in Column A as Column
29.18 B.

29.19	Column A	Column B
29.20	256.01, subdivision 12	142A.03, subdivision 7
29.21	256.01, subdivision 12a	142A.03, subdivision 8
29.22	256.01, subdivision 15	142A.03, subdivision 10
29.23	256.01, subdivision 36	142A.03, subdivision 22
29.24	256.0112, subdivision 10	142A.07, subdivision 8
29.25	256.019, subdivision 2	142A.28, subdivision 2
29.26	<u>256.043</u>	<u>142A.50</u>
29.27	256.4793	142A.45
29.28	256.4794	142A.451
29.29	256.82	142A.418
29.30	256.9831	142A.13, subdivision 14
29.31	256.9862, subdivision 1	142A.13, subdivision 10
29.32	256.9862, subdivision 2	142A.13, subdivision 11
29.33	256.9863	142A.13, subdivision 5

30.1	256.9865, subdivision 1	142A.13, subdivision 6
30.2	256.9865, subdivision 2	142A.13, subdivision 7
30.3	256.9865, subdivision 3	142A.13, subdivision 8
30.4	256.9865, subdivision 4	142A.13, subdivision 9
30.5	256.987, subdivision 2	142A.13, subdivision 2
30.6	256.987, subdivision 3	142A.13, subdivision 3
30.7	256.987, subdivision 4	142A.13, subdivision 4
30.8	256.9871	142A.13, subdivision 12
30.9	256.9872	142A.13, subdivision 13
30.10	256.997	142A.30
30.11	256.998	142A.29
30.12	256B.06, subdivision 6	142A.40
30.13	256E.20	142A.41
30.14	256E.21	142A.411
30.15	256E.22	142A.412
30.16	256E.24	142A.413
30.17	256E.25	142A.414
30.18	256E.26	142A.415
30.19	256E.27	142A.416
30.20	256E.28	142A.417
30.21	<u>256E.38</u>	<u>142A.42</u>
30.22	256N.001	142A.60
30.23	256N.01	142A.601
30.24	256N.02	142A.602
30.25	256N.20	142A.603
30.26	256N.21	142A.604
30.27	256N.22	142A.605
30.28	256N.23	142A.606
30.29	256N.24	142A.607
30.30	256N.25	142A.608
30.31	256N.26	142A.609
30.32	256N.261	142A.61
30.33	256N.27	142A.611
30.34	256N.28	142A.612
30.35	257.175	142A.03, subdivision 32
30.36	257.33, subdivision 1	142A.03, subdivision 33
30.37	257.33, subdivision 2	142A.03, subdivision 34
30.38	260.014	142A.452

31.1	299A.72	142A.75
31.2	299A.73	142A.43
31.3	299A.95	142A.76

31.4 The revisor of statutes must correct any statutory cross-references consistent with this
31.5 renumbering.

31.6 Sec. 16. Laws 2024, chapter 80, article 2, section 5, subdivision 21, is amended to read:

31.7 Subd. 21. **Plan for transfer of clients and records upon closure.** (a) Except for license
31.8 holders who reside on the premises and child care providers, an applicant for initial or
31.9 continuing licensure or certification must submit a written plan indicating how the program
31.10 or private agency will ensure the transfer of clients and records for both open and closed
31.11 cases if the program closes. The plan must provide for managing private and confidential
31.12 information concerning the clients of the program ~~clients~~ or private agency. The plan must
31.13 also provide for notifying affected clients of the closure at least 25 days prior to closure,
31.14 including information on how to access their records. A controlling individual of the program
31.15 or private agency must annually review and sign the plan.

31.16 (b) Plans for the transfer of open cases and case records must specify arrangements the
31.17 program or private agency will make to transfer clients to another provider or county agency
31.18 for continuation of services and to transfer the case record with the client.

31.19 (c) Plans for the transfer of closed case records must be accompanied by a signed
31.20 agreement or other documentation indicating that a county or a similarly licensed provider
31.21 has agreed to accept and maintain the program's or private agency's closed case records and
31.22 to provide follow-up services as necessary to affected clients.

31.23 Sec. 17. Laws 2024, chapter 80, article 2, section 7, subdivision 2, is amended to read:

31.24 Subd. 2. **County fees for applications and licensing inspections.** (a) A county agency
31.25 may charge a license fee to an applicant or license holder not to exceed \$50 for a one-year
31.26 license or \$100 for a two-year license.

31.27 (b) Counties may allow providers to pay the applicant fee in paragraph (a) on an
31.28 installment basis for up to one year. If the provider is receiving child care assistance payments
31.29 from the state, the provider may have the fee under paragraph (a) deducted from the child
31.30 care assistance payments for up to one year and the state shall reimburse the county for the
31.31 county fees collected in this manner.

~~(e) For purposes of child foster care licensing under this chapter, a county agency may charge a fee to a corporate applicant or corporate license holder to recover the actual cost of licensing inspections, not to exceed \$500 annually.~~

~~(d) Counties may elect to reduce or waive the fees in paragraph (c) under the following circumstances:~~

~~(1) in cases of financial hardship;~~

~~(2) if the county has a shortage of providers in the county's area; or~~

~~(3) for new providers.~~

Sec. 18. Laws 2024, chapter 80, article 2, section 10, subdivision 6, is amended to read:

Subd. 6. **Appeal of multiple sanctions.** (a) When the license holder appeals more than one licensing action or sanction that were simultaneously issued by the commissioner, the license holder shall specify the actions or sanctions that are being appealed.

(b) If there are different timelines prescribed in statutes for the licensing actions or sanctions being appealed, the license holder must submit the appeal within the longest of those timelines specified in statutes.

(c) The appeal must be made in writing by certified mail ~~or~~, by personal service, or through the provider licensing and reporting hub. If mailed, the appeal must be postmarked and sent to the commissioner within the prescribed timeline with the first day beginning the day after the license holder receives the certified letter. If a request is made by personal service, it must be received by the commissioner within the prescribed timeline with the first day beginning the day after the license holder receives the certified letter. If the appeal is made through the provider hub, the appeal must be received by the commissioner within the prescribed timeline with the first day beginning the day after the commissioner issued the order through the hub.

(d) When there are different timelines prescribed in statutes for the appeal of licensing actions or sanctions simultaneously issued by the commissioner, the commissioner shall specify in the notice to the license holder the timeline for appeal as specified under paragraph (b).

Sec. 19. Laws 2024, chapter 80, article 2, section 16, subdivision 1, is amended to read:

Subdivision 1. **Delegation of authority to agencies.** (a) County agencies and private agencies that have been designated or licensed by the commissioner to perform licensing

functions and activities under section 142B.10 ~~and background studies for family child care under chapter 245C~~; to recommend denial of applicants under section 142B.15; to issue correction orders, to issue variances, and to recommend a conditional license under section 142B.16; or to recommend suspending or revoking a license or issuing a fine under section 142B.18, shall comply with rules and directives of the commissioner governing those functions and with this section. The following variances are excluded from the delegation of variance authority and may be issued only by the commissioner:

(1) dual licensure of family child care and family child foster care, ~~dual licensure of family child foster care and family adult foster care, dual licensure of child foster residence setting and community residential setting, and dual licensure of family adult foster care and family child care~~;

(2) child foster care maximum age requirement;

(3) variances regarding disqualified individuals;

(4) variances to requirements relating to chemical use problems of a license holder or a household member of a license holder; and

(5) variances to section 142B.74 for a time-limited period. If the commissioner grants a variance under this clause, the license holder must provide notice of the variance to all parents and guardians of the children in care.

(b) The commissioners of human services and children, youth, and families must both approve a variance for dual licensure of family child foster care and family adult foster care or family adult foster care and family child care. Variances under this paragraph are excluded from the delegation of variance authority and may be issued only by both commissioners.

(c) Except as provided in section 142B.41, subdivision 4, paragraph (e), a county agency must not grant a license holder a variance to exceed the maximum allowable family child care license capacity of 14 children.

~~(b)~~ (d) A county agency that has been designated by the commissioner to issue family child care variances must:

(1) publish the county agency's policies and criteria for issuing variances on the county's public website and update the policies as necessary; and

(2) annually distribute the county agency's policies and criteria for issuing variances to all family child care license holders in the county.

~~(e)~~ (e) Before the implementation of NETStudy 2.0, county agencies must report information about disqualification reconsiderations under sections 245C.25 and 245C.27, subdivision 2, paragraphs (a) and (b), and variances granted under paragraph (a), clause (5), to the commissioner at least monthly in a format prescribed by the commissioner.

~~(d)~~ (f) For family child care programs, the commissioner shall require a county agency to conduct one unannounced licensing review at least annually.

~~(e)~~ (g) A license issued under this section may be issued for up to two years.

~~(f)~~ (h) A county agency shall report to the commissioner, in a manner prescribed by the commissioner, the following information for a licensed family child care program:

(1) the results of each licensing review completed, including the date of the review, and any licensing correction order issued;

(2) any death, serious injury, or determination of substantiated maltreatment; and

(3) any fires that require the service of a fire department within 48 hours of the fire. The information under this clause must also be reported to the state fire marshal within two business days of receiving notice from a licensed family child care provider.

Sec. 20. Laws 2024, chapter 80, article 2, section 30, subdivision 2, is amended to read:

Subd. 2. **Maltreatment of minors ongoing training requirement.** (a) In addition to the orientation training required by the applicable licensing rules and statutes, private child-placing agency license holders must provide a training annually on the maltreatment of minors reporting requirements and definitions in chapter 260E to each mandatory reporter, as described in section 260E.06, subdivision 1.

(b) In addition to the orientation training required by the applicable licensing rules and statutes, all family child foster care license holders and caregivers ~~and foster residence setting staff and volunteers~~ who are mandatory reporters as described in section 260E.06, subdivision 1, must complete training each year on the maltreatment of minors reporting requirements and definitions in chapter 260E.

Sec. 21. Laws 2024, chapter 80, article 2, section 31, is amended to read:

Sec. 31. **142B.80 CHILD FOSTER CARE TRAINING REQUIREMENT; MENTAL HEALTH TRAINING; FETAL ALCOHOL SPECTRUM DISORDERS TRAINING.**

Prior to a nonemergency placement of a child in a foster care home, the child foster care license holder and caregivers in foster family and treatment foster care settings, ~~and all staff~~

35.1 ~~providing care in foster residence settings~~ must complete two hours of training that addresses
35.2 the causes, symptoms, and key warning signs of mental health disorders; cultural
35.3 considerations; and effective approaches for dealing with a child's behaviors. At least one
35.4 hour of the annual training requirement for the foster family license holder and caregivers;
35.5 ~~and foster residence staff~~ must be on children's mental health issues and treatment. Except
35.6 for providers and services under chapter 245D, the annual training must also include at least
35.7 one hour of training on fetal alcohol spectrum disorders, which must be counted toward the
35.8 12 hours of required in-service training per year. Short-term substitute caregivers are exempt
35.9 from these requirements. Training curriculum shall be approved by the commissioner of
35.10 children, youth, and families.

35.11 Sec. 22. Laws 2024, chapter 80, article 2, section 74, is amended to read:

35.12 Sec. 74. **REVISOR INSTRUCTION.**

35.13 The revisor of statutes must renumber sections or subdivisions in column A as column
35.14 B.

35.15	Column A	Column B
35.16	245A.02, subdivision 2c	142B.01, subdivision 3
35.17	245A.02, subdivision 6a	142B.01, subdivision 11
35.18	245A.02, subdivision 6b	142B.01, subdivision 12
35.19	245A.02, subdivision 10a	142B.01, subdivision 22
35.20	245A.02, subdivision 12	142B.01, subdivision 23
35.21	245A.02, subdivision 16	142B.01, subdivision 26
35.22	245A.02, subdivision 17	142B.01, subdivision 27
35.23	245A.02, subdivision 18	142B.01, subdivision 28
35.24	245A.02, subdivision 19	142B.01, subdivision 13
35.25	245A.03, subdivision 2a	142B.05, subdivision 3
35.26	245A.03, subdivision 2b	142B.05, subdivision 4
35.27	245A.03, subdivision 4	142B.05, subdivision 6
35.28	245A.03, subdivision 4a	142B.05, subdivision 7
35.29	245A.03, subdivision 8	142B.05, subdivision 10
35.30	245A.035	142B.06
35.31	245A.04, subdivision 9a	142B.10, subdivision 17
35.32	245A.04, subdivision 10	142B.10, subdivision 18
35.33	245A.06, subdivision 8	142B.16, subdivision 5
35.34	245A.06, subdivision 9	142B.16, subdivision 6
35.35	245A.065	142B.17

36.1	245A.07, subdivision 4	142B.18, subdivision 6
36.2	245A.07, subdivision 5	142B.18, subdivision 7
36.3	245A.14, subdivision 3	142B.41, subdivision 3
36.4	245A.14, subdivision 4	142B.41, subdivision 4
36.5	245A.14, subdivision 4a	142B.41, subdivision 5
36.6	245A.14, subdivision 6	142B.41, subdivision 6
36.7	245A.14, subdivision 8	142B.41, subdivision 7
36.8	245A.14, subdivision 10	142B.41, subdivision 8
36.9	245A.14, subdivision 11	142B.41, subdivision 9
36.10	245A.14, subdivision 15	142B.41, subdivision 11
36.11	245A.14, subdivision 16	142B.41, subdivision 12
36.12	245A.14, subdivision 17	142B.41, subdivision 13
36.13	245A.1434	142B.60
36.14	245A.144	142B.47
36.15	245A.1445	142B.48
36.16	245A.145	142B.61
36.17	245A.146, subdivision 2	142B.45, subdivision 2
36.18	245A.146, subdivision 3	142B.45, subdivision 3
36.19	245A.146, subdivision 4	142B.45, subdivision 4
36.20	245A.146, subdivision 5	142B.45, subdivision 5
36.21	245A.146, subdivision 6	142B.45, subdivision 6
36.22	245A.147	142B.75
36.23	245A.148	142B.76
36.24	245A.149	142B.77
36.25	245A.15	142B.78
36.26	245A.1511	142B.79
36.27	245A.152	142B.62
36.28	245A.16, subdivision 7	142B.30, subdivision 7
36.29	245A.16, subdivision 9	142B.30, subdivision 9
36.30	245A.16, subdivision 11	142B.30, subdivision 11
36.31	245A.23	142B.63
36.32	245A.40	142B.65
36.33	245A.41	142B.66
36.34	245A.42	142B.67
36.35	245A.50	142B.70
36.36	245A.51	142B.71
36.37	245A.52	142B.72
36.38	245A.53	142B.74

37.1	245A.66, subdivision 2	142B.54, subdivision 2
37.2	245A.66, subdivision 3	142B.54, subdivision 3

37.3 The revisor of statutes must correct any statutory cross-references consistent with this

37.4 renumbering.

37.5 Sec. 23. Laws 2024, chapter 80, article 4, section 26, is amended to read:

37.6 Sec. 26. **REVISOR INSTRUCTION.**

37.7 (a) The revisor of statutes shall renumber each section of Minnesota Statutes listed in

37.8 column A with the number listed in column B. The revisor shall also make necessary

37.9 cross-reference changes consistent with the renumbering. The revisor shall also make any

37.10 technical, language, and other changes necessitated by the renumbering and cross-reference

37.11 changes in this act.

37.12	Column A	Column B
37.13	119A.50	142D.12
37.14	119A.52	142D.121
37.15	119A.53	142D.122
37.16	119A.535	142D.123
37.17	119A.5411	142D.124
37.18	119A.545	142D.125
37.19	119B.195	142D.30
37.20	119B.196	142D.24
37.21	119B.25	142D.20
37.22	119B.251	142D.31
37.23	119B.252	142D.32
37.24	119B.27	142D.21
37.25	119B.28	142D.22
37.26	119B.29	142D.23
37.27	121A.16	142D.09
37.28	121A.17	142D.091
37.29	121A.18	142D.092
37.30	121A.19	142D.093
37.31	<u>122A.731</u>	<u>142D.33</u>
37.32	124D.13	142D.10
37.33	124D.135	142D.11
37.34	124D.141	142D.16
37.35	124D.142	142D.13

38.1	124D.15	142D.05
38.2	124D.151	142D.08
38.3	124D.16	142D.06
38.4	124D.165	142D.25
38.5	124D.2211	142D.14
38.6	124D.23	142D.15

38.7 (b) The revisor of statutes shall codify Laws 2017, First Special Session chapter 5, article
38.8 8, section 9, as amended by article 4, section 25, as Minnesota Statutes, section 142D.07.

38.9 (c) The revisor of statutes shall change "commissioner of education" to "commissioner
38.10 of children, youth, and families" and change "Department of Education" to "Department of
38.11 Children, Youth, and Families" as necessary in Minnesota Statutes, chapters 119A and 120
38.12 to 129C, to reflect the changes in this act and Laws 2023, chapter 70, article 12. The revisor
38.13 shall also make any technical, language, and other changes resulting from the change of
38.14 term to the statutory language, sentence structure, or both, if necessary to preserve the
38.15 meaning of the text.

38.16 Sec. 24. Laws 2024, chapter 80, article 6, section 4, is amended to read:

38.17 Sec. 4. **REVISOR INSTRUCTION.**

38.18 (a) The revisor of statutes must renumber each section of Minnesota Statutes in Column
38.19 A with the number in Column B.

38.20	Column A	Column B
38.21	245.771	142F.05
38.22	256D.60	142F.10
38.23	256D.61	142F.11
38.24	256D.62	142F.101
38.25	256D.63	142F.102
38.26	256D.64	142F.13
38.27	256D.65	142F.12
38.28	256E.30	142F.30
38.29	256E.31	142F.301
38.30	256E.32	142F.302
38.31	<u>256E.33</u>	<u>142F.51</u>
38.32	256E.34	142F.14
38.33	<u>256E.342</u>	<u>142F.15</u>
38.34	256E.35	142F.20

39.1	<u>256E.36</u>	<u>142F.52</u>
39.2	<u>256K.45</u>	<u>142F.55</u>
39.3	<u>256K.451</u>	<u>142F.56</u>
39.4	<u>256K.46</u>	<u>142F.57</u>
39.5	<u>256K.47</u>	<u>142F.58</u>

39.6 (b) The revisor of statutes must correct any statutory cross-references consistent with
39.7 this renumbering.

39.8 Sec. 25. Laws 2024, chapter 80, article 7, section 4, is amended to read:

39.9 Sec. 4. Minnesota Statutes 2022, section 256J.09, is amended by adding a subdivision to
39.10 read:

39.11 Subd. 11. **Domestic violence informational brochure.** (a) The commissioner shall
39.12 provide a domestic violence informational brochure that provides information about the
39.13 existence of domestic violence waivers to all MFIP applicants. The brochure must explain
39.14 that eligible applicants may be temporarily waived from certain program requirements due
39.15 to domestic violence. The brochure must provide information about services and other
39.16 programs to help victims of domestic violence.

39.17 (b) The brochure must be funded with TANF funds.

39.18 (c) The commissioner must work with the commissioner of human services to create a
39.19 brochure that meets the requirements of this section and section 256.029.

39.20 Sec. 26. **CHILD FOSTER RESIDENCE SETTINGS TO STAY AT THE**
39.21 **DEPARTMENT OF HUMAN SERVICES.**

39.22 The responsibility to license child foster residence settings as defined in Minnesota
39.23 Statutes, section 245A.02, subdivision 6e, does not transfer to the Department of Children,
39.24 Youth, and Families under Laws 2023, chapter 70, article 12, section 30, and remains with
39.25 the Department of Human Services.

39.26 Sec. 27. **DIRECTION TO THE COMMISSIONER OF CHILDREN, YOUTH, AND**
39.27 **FAMILIES; COORDINATION OF SERVICES FOR CHILDREN WITH**
39.28 **DISABILITIES AND MENTAL HEALTH.**

39.29 The commissioner shall designate a department leader to be responsible for coordination
39.30 of services and outcomes around children's mental health and for children with or at risk

for disabilities within and between the Department of Children, Youth, and Families; the Department of Human Services; and related agencies.

Sec. 28. **REPEALER.**

- (a) Laws 2024, chapter 80, article 2, sections 1, subdivision 11; 3, subdivision 3; 4, subdivision 4; 10, subdivision 4; 33; and 69, are repealed.

(b) Minnesota Rules, part 9545.0845, is repealed.

ARTICLE 5
APPROPRIATIONS

Section 1. **HEALTH AND HUMAN SERVICES APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are added to or, if shown in parentheses, subtracted from the appropriations in Laws 2023, chapter 70, article 20, to the agencies and for the purposes specified in this article. The appropriations are from the general fund or other named fund and are available for the fiscal years indicated for each purpose. The figures "2024" and "2025" used in this article mean that the addition to or subtraction from the appropriation listed under them is available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively. Base adjustments mean the addition to or subtraction from the base level adjustment set in Laws 2023, chapter 70, article 20. Supplemental appropriations and reductions to appropriations for the fiscal year ending June 30, 2024, are effective the day following final enactment unless a different effective date is explicit.

APPROPRIATIONS

Available for the Year

Ending June 30

	<u>2024</u>	<u>2025</u>
--	--------------------	--------------------

Sec. 2. **COMMISSIONER OF HUMAN SERVICES.**

<u>Subdivision 1. Total Appropriation.</u>	<u>\$</u>	<u>4,967,000</u>	<u>\$</u>	<u>27,981,000</u>
<u>Appropriations by Fund</u>				
	<u>2024</u>	<u>2025</u>		
<u>General</u>	<u>4,967,000</u>	<u>29,799,000</u>		

41.1 The amounts that may be spent for each
41.2 purpose are specified in the following
41.3 subdivisions.

41.4 Subd. 2. **Central Office; Operations.**

41.5	<u>Appropriations by Fund</u>		
41.6	<u>General</u>	<u>2,369,000</u>	<u>19,901,000</u>

41.7 (a) **Child Welfare Technology System.**
41.8 \$15,000,000 in fiscal year 2025 is for
41.9 information technology improvements to the
41.10 statewide child welfare information system.
41.11 This is a onetime appropriation.

41.12 (b) **Base Level Adjustment.** The general fund
41.13 base is increased by \$5,021,000 in fiscal year
41.14 2026 and each year thereafter.

41.15 Subd. 3. **Central Office; Children and Families.**

41.16	<u>Appropriations by Fund</u>		
41.17	<u>General</u>	<u>2,598,000</u>	<u>4,898,000</u>

41.18 **Base Level Adjustment.** The general fund
41.19 base is increased by \$5,025,000 in fiscal year
41.20 2026 and each year thereafter.

41.21	<u>Subd. 4. Grant Programs; Children and</u>		
41.22	<u>Economic Support Grants.</u>	<u>...</u>	<u>5,000,000</u>

41.23 (a) **Base Level Adjustment.** The general fund
41.24 base is increased by \$0 in fiscal year 2026 and
41.25 each year thereafter.

41.26	<u>Sec. 3. DEPARTMENT OF EDUCATION.</u>	<u>\$</u>	<u>1,822,000</u>	<u>\$</u>	<u>1,715,000</u>
-------	--	-----------	------------------	-----------	------------------

41.27 (a) **Summer EBT.** \$1,822,000 in fiscal year
41.28 2024 and \$1,542,000 in fiscal year 2025 are
41.29 for administration of the summer electronic
41.30 benefits transfer program under Public Law
41.31 117-328. The base for this appropriation is
41.32 \$572,000 in fiscal year 2026 and each year
41.33 thereafter.

42.1 **(b) Operating Adjustment DCYF**

42.2 **Transition.** \$173,000 in fiscal year 2025 is
 42.3 for the agency to maintain current levels of
 42.4 service after the transition of staff and
 42.5 resources to the Department of Children,
 42.6 Youth, and Families. The base for this
 42.7 appropriation is \$345,000 in fiscal year 2026
 42.8 and each year thereafter.

42.9 **Sec. 4. COMMISSIONER OF CHILDREN,**
 42.10 **YOUTH, AND FAMILIES.** \$ 0 \$ 3,279,000

42.11 **Base Level Adjustment.** The general fund
 42.12 base is increased by \$7,183,000 in fiscal year
 42.13 2026 and increased by \$6,833,000 in fiscal
 42.14 year 2027.

42.15 **Sec. 5. OFFICE OF THE FAMILY CHILD**
 42.16 **CARE OMBUDSPERSON.** \$ 0 \$ 350,000

42.17 **Sec. 6. REDUCTIONS IN APPROPRIATIONS, CANCELLATIONS, AND**
 42.18 **REAPPROPRIATIONS.**

42.19 **Subdivision 1. Central Office Adjustments.** (a) The TANF appropriations in Laws
 42.20 2023, chapter 70, article 20, section 3, are reduced by \$1,090,000 for fiscal year 2024 and
 42.21 \$1,194,000 for fiscal year 2025, and those amounts cancel to the TANF fund.

42.22 (b) \$1,090,000 in fiscal year 2024 and \$1,194,000 in fiscal year 2025 are appropriated
 42.23 from the TANF fund to the commissioner of human services for children and families;
 42.24 administrative costs.

42.25 **Subd. 2. Family Assets for Independence in Minnesota.** (a) The general fund
 42.26 appropriation in Laws 2023, chapter 70, article 20, section 2, subdivision 22, paragraph (o),
 42.27 for fiscal year 2025 is reduced by \$1,391,000, and that amount cancels to the general fund.

42.28 (b) \$1,391,000 in fiscal year 2025 is appropriated from the general fund to the
 42.29 commissioner of human services for the family assets for independence in Minnesota
 42.30 program under Minnesota Statutes, section 256E.35. This is a onetime appropriation and is
 42.31 available until June 30, 2027.

Subd. 3. Community Action Agency Grants. (a) The general fund appropriation in Laws 2023, chapter 70, article 20, section 2, subdivision 23, for fiscal year 2025 is reduced by \$2,704,000, and that amount cancels to the general fund.

(b) \$2,704,000 in fiscal year 2025 is appropriated from the general fund to the commissioner of human services for community action agencies under Minnesota Statutes, section 256E.30.

Subd. 4. Fraud Prevention Grants. (a) The general fund appropriation in Laws 2023, chapter 70, article 20, section 2, subdivision 3, for fiscal year 2025 is reduced by \$425,000, and that amount cancels to the general fund. The general fund base in Laws 2023, chapter 70, article 20, section 2, subdivision 3, paragraph (h), is reduced by \$425,000 in fiscal years 2026 and 2027.

(b) \$425,000 in fiscal year 2025 is appropriated from the general fund to the commissioner of human services for fraud prevention grants.

(c) The general fund appropriation in Laws 2023, chapter 70, article 20, section 2, subdivision 24, for fiscal year 2025 is reduced by \$2,593,000, and that amount cancels to the general fund. The general fund base in Laws 2023, chapter 70, article 20, section 2, subdivision 24, paragraph (o), is reduced by \$2,593,000 in fiscal years 2026 and 2027.

(d) \$2,593,000 in fiscal year 2025 is appropriated from the general fund to the commissioner of human services for fraud prevention grants.

EFFECTIVE DATE. The fiscal year 2024 appropriation reductions and cancellations in this section are effective the day following final enactment, or retroactively from June 30, 2024, whichever is earlier.

Sec. 7. Laws 2023, chapter 70, article 20, section 2, subdivision 24, is amended to read:

Subd. 24. Grant Programs; Children and Economic Support Grants

212,877,000

78,333,000

(a) Fraud prevention initiative start-up grants. \$400,000 in fiscal year 2024 is for start-up grants to the Red Lake Nation, White Earth Nation, and Mille Lacs Band of Ojibwe to develop a fraud prevention program. This is a onetime appropriation and is available until June 30, 2025.

44.1 **(b) American Indian food sovereignty**
44.2 **funding program.** \$3,000,000 in fiscal year
44.3 2024 and \$3,000,000 in fiscal year 2025 are
44.4 for Minnesota Statutes, section 256E.342. This
44.5 appropriation is available until June 30, 2025.
44.6 The base for this appropriation is \$2,000,000
44.7 in fiscal year 2026 and \$2,000,000 in fiscal
44.8 year 2027.

44.9 **(c) Hennepin County grants to provide**
44.10 **services to people experiencing**
44.11 **homelessness.** \$11,432,000 in fiscal year 2024
44.12 is for grants to maintain capacity for shelters
44.13 and services provided to persons experiencing
44.14 homelessness in Hennepin County. Of this
44.15 amount:

44.16 (1) \$4,500,000 is for a grant to Avivo Village;

44.17 (2) \$2,000,000 is for a grant to the American
44.18 Indian Community Development Corporation
44.19 Homeward Bound shelter;

44.20 (3) \$1,650,000 is for a grant to the Salvation
44.21 Army Harbor Lights shelter;

44.22 (4) \$500,000 is for a grant to Agate Housing
44.23 and Services;

44.24 (5) \$1,400,000 is for a grant to Catholic
44.25 Charities of St. Paul and Minneapolis;

44.26 (6) \$450,000 is for a grant to Simpson
44.27 Housing; and

44.28 (7) \$932,000 is for a grant to Hennepin
44.29 County.

44.30 Nothing shall preclude an eligible organization
44.31 receiving funding under this paragraph from
44.32 applying for and receiving funding under
44.33 Minnesota Statutes, section 256E.33, 256E.36,

45.1 256K.45, or 256K.47, nor does receiving
45.2 funding under this paragraph count against
45.3 any eligible organization in the competitive
45.4 processes related to those grant programs
45.5 under Minnesota Statutes, section 256E.33,
45.6 256E.36, 256K.45, or 256K.47.

45.7 **(d) Diaper distribution grant program.**
45.8 \$545,000 in fiscal year 2024 and \$553,000 in
45.9 fiscal year 2025 are for a grant to the Diaper
45.10 Bank of Minnesota under Minnesota Statutes,
45.11 section 256E.38.

45.12 **(e) Prepared meals food relief.** \$1,654,000
45.13 in fiscal year 2024 and \$1,638,000 in fiscal
45.14 year 2025 are for prepared meals food relief
45.15 grants. This is a onetime appropriation.

45.16 **(f) Emergency shelter facilities.** \$98,456,000
45.17 in fiscal year 2024 is for grants to eligible
45.18 applicants for emergency shelter facilities.
45.19 This is a onetime appropriation and is
45.20 available until June 30, 2028.

45.21 **(g) Homeless youth cash stipend pilot**
45.22 **project.** \$5,302,000 in fiscal year 2024 is for
45.23 a grant to Youthprise for the homeless youth
45.24 cash stipend pilot project. The grant must be
45.25 used to provide cash stipends to homeless
45.26 youth, provide cash incentives for stipend
45.27 recipients to participate in periodic surveys,
45.28 provide youth-designed optional services, and
45.29 complete a legislative report. This is a onetime
45.30 appropriation and is available until June 30,
45.31 ~~2028~~ 2027.

45.32 **(h) Heading Home Ramsey County**
45.33 **continuum of care grants.** \$11,432,000 in
45.34 fiscal year 2024 is for grants to maintain

46.1 capacity for shelters and services provided to
46.2 people experiencing homelessness in Ramsey
46.3 County. Of this amount:

46.4 (1) \$2,286,000 is for a grant to Catholic
46.5 Charities of St. Paul and Minneapolis;

46.6 (2) \$1,498,000 is for a grant to More Doors;

46.7 (3) \$1,734,000 is for a grant to Interfaith
46.8 Action Project Home;

46.9 (4) \$2,248,000 is for a grant to Ramsey
46.10 County;

46.11 (5) \$689,000 is for a grant to Radas Health;

46.12 (6) \$493,000 is for a grant to The Listening
46.13 House;

46.14 (7) \$512,000 is for a grant to Face to Face;
46.15 and

46.16 (8) \$1,972,000 is for a grant to the city of St.
46.17 Paul.

46.18 Nothing shall preclude an eligible organization
46.19 receiving funding under this paragraph from
46.20 applying for and receiving funding under
46.21 Minnesota Statutes, section 256E.33, 256E.36,
46.22 256K.45, or 256K.47, nor does receiving
46.23 funding under this paragraph count against
46.24 any eligible organization in the competitive
46.25 processes related to those grant programs
46.26 under Minnesota Statutes, section 256E.33,
46.27 256E.36, 256K.45, or 256K.47.

46.28 **(i) Capital for emergency food distribution**
46.29 **facilities.** \$7,000,000 in fiscal year 2024 is for
46.30 improving and expanding the infrastructure
46.31 of food shelf facilities. Grant money must be
46.32 made available to nonprofit organizations,
46.33 federally recognized Tribes, and local units of

47.1 government. This is a onetime appropriation
47.2 and is available until June 30, 2027.

47.3 **(j) Emergency services program grants.**
47.4 \$15,250,000 in fiscal year 2024 and
47.5 \$14,750,000 in fiscal year 2025 are for
47.6 emergency services grants under Minnesota
47.7 Statutes, section 256E.36. Any unexpended
47.8 amount in the first year does not cancel and
47.9 is available in the second year. The base for
47.10 this appropriation is \$25,000,000 in fiscal year
47.11 2026 and \$30,000,000 in fiscal year 2027.

47.12 **(k) Homeless Youth Act grants.** \$15,136,000
47.13 in fiscal year 2024 and \$15,136,000 in fiscal
47.14 year 2025 are for grants under Minnesota
47.15 Statutes, section 256K.45, subdivision 1. Any
47.16 unexpended amount in the first year does not
47.17 cancel and is available in the second year.

47.18 **(l) Transitional housing programs.**
47.19 \$3,000,000 in fiscal year 2024 and \$3,000,000
47.20 in fiscal year 2025 are for transitional housing
47.21 programs under Minnesota Statutes, section
47.22 256E.33. Any unexpended amount in the first
47.23 year does not cancel and is available in the
47.24 second year.

47.25 **(m) Safe harbor shelter and housing grants.**
47.26 \$2,125,000 in fiscal year 2024 and \$2,125,000
47.27 in fiscal year 2025 are for grants under
47.28 Minnesota Statutes, section 256K.47. Any
47.29 unexpended amount in the first year does not
47.30 cancel and is available in the second year. The
47.31 base for this appropriation is \$1,250,000 in
47.32 fiscal year 2026 and \$1,250,000 in fiscal year
47.33 2027.

48.1 (n) **Supplemental nutrition assistance**
48.2 **program (SNAP) outreach.** \$1,000,000 in
48.3 fiscal year 2024 and \$1,000,000 in fiscal year
48.4 2025 are for the SNAP outreach program
48.5 under Minnesota Statutes, section 256D.65.
48.6 The base for this appropriation is \$500,000 in
48.7 fiscal year 2026 and \$500,000 in fiscal year
48.8 2027.

48.9 (o) **Base level adjustment.** The general fund
48.10 base is \$83,179,000 in fiscal year 2026 and
48.11 \$88,179,000 in fiscal year 2027.

48.12 (p) **Minnesota Food Assistance Program.**
48.13 Unexpended funds for the Minnesota food
48.14 assistance program for fiscal year 2024 are
48.15 available until June 30, 2025.

48.16 Sec. 8. Laws 2023, chapter 70, article 20, section 23, is amended to read:

48.17 Sec. 23. **TRANSFERS.**

48.18 Subdivision 1. **Grants.** The commissioner of human services and commissioner of
48.19 children, youth, and families, with the approval of the commissioner of management and
48.20 budget, may transfer unencumbered appropriation balances for the biennium ending June
48.21 30, 2025, within fiscal years among MFIP; general assistance; medical assistance;
48.22 MinnesotaCare; MFIP child care assistance under Minnesota Statutes, section 119B.05;
48.23 Minnesota supplemental aid program; housing support program; the entitlement portion of
48.24 Northstar Care for Children under Minnesota Statutes, chapter 256N; and the entitlement
48.25 portion of the behavioral health fund between fiscal years of the biennium. The commissioner
48.26 shall report to the chairs and ranking minority members of the legislative committees with
48.27 jurisdiction over health and human services quarterly about transfers made under this
48.28 subdivision.

48.29 Subd. 2. **Administration.** Positions, salary money, and nonsalary administrative money
48.30 may be transferred within and between the Department of Human Services and Department
48.31 of Children, Youth, and Families as the commissioners consider necessary, with the advance
48.32 approval of the commissioner of management and budget. The commissioners shall report

49.1 to the chairs and ranking minority members of the legislative committees with jurisdiction
49.2 over health and human services finance quarterly about transfers made under this section.

49.3 Sec. 9. **DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES FEDERAL**
49.4 **REIMBURSEMENT.**

49.5 Minnesota Management and Budget shall reflect Department of Children, Youth, and
49.6 Families federal reimbursement costs as expenditure reductions in the general fund budgeted
49.7 fund balance as they would be reported in conformity with generally accepted accounting
49.8 principles.

245.975 OMBUDSPERSON FOR FAMILY CHILD CARE PROVIDERS.

Subd. 8. **Office support.** The commissioner shall provide the ombudsperson with the necessary office space, supplies, equipment, and clerical support to effectively perform the duties under this section.

245A.065 CHILD CARE FIX-IT TICKET.

(a) In lieu of a correction order under section 245A.06, the commissioner shall issue a fix-it ticket to a family child care or child care center license holder if the commissioner finds that:

(1) the license holder has failed to comply with a requirement in this chapter or Minnesota Rules, chapter 9502 or 9503, that the commissioner determines to be eligible for a fix-it ticket;

(2) the violation does not imminently endanger the health, safety, or rights of the persons served by the program;

(3) the license holder did not receive a fix-it ticket or correction order for the violation at the license holder's last licensing inspection;

(4) the violation can be corrected at the time of inspection or within 48 hours, excluding Saturdays, Sundays, and holidays; and

(5) the license holder corrects the violation at the time of inspection or agrees to correct the violation within 48 hours, excluding Saturdays, Sundays, and holidays.

(b) The fix-it ticket must state:

(1) the conditions that constitute a violation of the law or rule;

(2) the specific law or rule violated; and

(3) that the violation was corrected at the time of inspection or must be corrected within 48 hours, excluding Saturdays, Sundays, and holidays.

(c) The commissioner shall not publicly publish a fix-it ticket on the department's website.

(d) Within 48 hours, excluding Saturdays, Sundays, and holidays, of receiving a fix-it ticket, the license holder must correct the violation and within one week submit evidence to the licensing agency that the violation was corrected.

(e) If the violation is not corrected at the time of inspection or within 48 hours, excluding Saturdays, Sundays, and holidays, or the evidence submitted is insufficient to establish that the license holder corrected the violation, the commissioner must issue a correction order for the violation of Minnesota law or rule identified in the fix-it ticket according to section 245A.06.

Laws 2024, chapter 80, article 2, section 1, subdivision 11

Section 1. [142B.01] DEFINITIONS.

Subd. 11. **Foster residence setting.** "Foster residence setting" has the meaning given in Minnesota Rules, part 2960.3010, subpart 26, and includes settings licensed by the commissioner of children, youth, and families or the commissioner of corrections.

Laws 2024, chapter 80, article 2, section 10, subdivision 4

Sec. 10. [142B.18] SANCTIONS.

Subd. 4. **Immediate suspension of residential programs.** For suspensions issued to a licensed residential program as defined in section 142B.01, subdivision 24, the effective date of the order may be delayed for up to 30 calendar days to provide for the continuity of care of service recipients. The license holder must cooperate with the commissioner to ensure service recipients receive continued care during the period of the delay and to facilitate the transition of service recipients to new providers. In these cases, the suspension order takes effect when all service recipients have been transitioned to a new provider or 30 days after the suspension order was issued, whichever comes first.

Laws 2024, chapter 80, article 2, section 3, subdivision 3

Sec. 3. [142B.03] SYSTEMS AND RECORDS.

Subd. 3. **First date of working in a setting; documentation requirements.** Foster residence setting license holders must document the first date that a person who is a background study subject begins working in the license holder's setting. If the license holder does not maintain documentation of each background study subject's first date of working in the setting in the license holder's personnel files, the license holder must provide documentation to the commissioner that contains the first date that each background study subject began working in the license holder's program upon the commissioner's request.

Laws 2024, chapter 80, article 2, section 33

Sec. 33. Minnesota Statutes 2022, section 245A.02, subdivision 6e, is amended to read:

Subd. 6e. **Foster residence setting.** "Foster residence setting" has the meaning given in Minnesota Rules, part 2960.3010, subpart 26, and includes settings licensed by the commissioner of ~~human services~~ children, youth, and families or the commissioner of corrections.

Laws 2024, chapter 80, article 2, section 4, subdivision 4

Sec. 4. [142B.05] WHO MUST BE LICENSED.

Subd. 4. **Licensing moratorium.** (a) The commissioner shall not issue an initial license for child foster care licensed under Minnesota Rules, parts 2960.3000 to 2960.3340, under this chapter for a physical location that will not be the primary residence of the license holder for the entire period of licensure. If a family child foster care home license is issued during this moratorium and the license holder changes the license holder's primary residence away from the physical location of the foster care license, the commissioner shall revoke the license according to section 142B.18. When approving an exception under this paragraph, the commissioner shall consider the resource need determination process in paragraph (e), the availability of foster care licensed beds in the geographic area in which the licensee seeks to operate, the results of a person's choices during their annual assessment and service plan review, and the recommendation of the local county board. The determination by the commissioner is final and not subject to appeal. Exceptions to the moratorium include:

(1) foster care licenses replacing foster care licenses in existence on May 15, 2009, and determined to be needed by the commissioner under paragraph (b); and

(2) new foster care licenses determined to be needed by the commissioner under paragraph (b) for persons requiring hospital-level care.

(b) The commissioner shall determine the need for newly licensed foster care homes. As part of the determination, the commissioner shall consider the availability of foster care capacity in the area in which the licensee seeks to operate, and the recommendation of the local county board. The

determination by the commissioner must be final. A determination of need is not required for a change in ownership at the same address.

(c) At the time of application and reapplication for licensure, the applicant and the license holder that are subject to the moratorium or an exclusion established in paragraph (a) are required to inform the commissioner whether the physical location where the foster care will be provided is or will be the primary residence of the license holder for the entire period of licensure. If the primary residence of the applicant or license holder changes, the applicant or license holder must notify the commissioner immediately. The commissioner shall print on the foster care license certificate whether or not the physical location is the primary residence of the license holder.

(d) License holders of foster care homes identified under paragraph (c) that are not the primary residence of the license holder and that also provide services in the foster care home that are covered by a federally approved home and community-based services waiver, as authorized under chapter 256S or section 256B.092 or 256B.49, must inform the children, youth, and families licensing division that the license holder provides or intends to provide these waiver-funded services.

(e) The commissioner may adjust capacity to address needs identified in section 144A.351. Under this authority, the commissioner may approve new licensed settings or delicense existing settings. Delicensing of settings will be accomplished through a process identified in section 256B.493.

Laws 2024, chapter 80, article 2, section 69

Sec. 69. Minnesota Statutes 2022, section 245A.25, subdivision 1, is amended to read:

Subdivision 1. **Certification scope and applicability.** (a) This section establishes the requirements that a children's residential facility or child foster residence setting must meet to be certified for the purposes of Title IV-E funding requirements as:

- (1) a qualified residential treatment program;
- (2) a residential setting specializing in providing care and supportive services for youth who have been or are at risk of becoming victims of sex trafficking or commercial sexual exploitation;
- (3) a residential setting specializing in providing prenatal, postpartum, or parenting support for youth; or
- (4) a supervised independent living setting for youth who are 18 years of age or older.

(b) This section does not apply to a foster family setting in which the license holder resides in the foster home.

(c) Children's residential facilities licensed as detention settings according to Minnesota Rules, parts 2960.0230 to 2960.0290, or secure programs according to Minnesota Rules, parts 2960.0300 to 2960.0420, may not be certified under this section.

(d) For purposes of this section, "license holder" means an individual, organization, or government entity that was issued a children's residential facility or foster residence setting license by the commissioner of human services under this chapter; by the commissioner of children, youth, and families under chapter 142B; or by the commissioner of corrections under chapter 241.

(e) Certifications issued under this section for foster residence settings may only be issued by the commissioner of human services and are not delegated to county or private licensing agencies under section 245A.16.

9545.0845 PLAN FOR TRANSFER OF RECORDS.

An applicant for initial or continuing licensure must submit a written plan indicating how the agency will provide for the transfer of records on both open and closed cases if the agency closes. The plan must provide for managing private and confidential information on agency clients, according to Minnesota Statutes, section 259.79. A controlling individual of the agency must sign the plan.

A. Plans for the transfer of open cases and case records must specify arrangements the agency will make to transfer clients to another agency or county for continuation of services and to transfer the case record with the client.

B. Plans for the transfer of closed adoption records must be accompanied by a signed agreement or other documentation indicating that a county or licensed child placing agency has agreed to accept and maintain the agency's closed case records and to provide follow-up services to affected clients.