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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 4031

03/19/2018 Authored by Zerwas; Liebling; Murphy, E., and Pierson
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to human services; changing child protection grant allocation to counties;
1.3 amending Minnesota Statutes 2016, section 256M.41, subdivision 3, by adding a
1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 256M.41, subdivision 3, is amended to read:

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

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

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

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

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

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

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

2.22 Sec. 2. Minnesota Statutes 2016, section 256M.41, is amended by adding a subdivision
2.23 to read:

2.24 Subd. 4. **County performance on child protection measures.** The commissioner shall
2.25 set child protection measures and standards. The commissioner shall require an
2.26 underperforming county to demonstrate that the county designated sufficient funds and
2.27 implemented a reasonable strategy to improve child protection performance, including the
2.28 provision of a performance improvement plan and additional remedies identified by the
2.29 commissioner. The commissioner may redirect up to 20 percent of a county's funds under
2.30 this section toward the performance improvement plan for a county not meeting child
2.31 protection standards and not demonstrating significant improvement. Sanctions under section
2.32 256M.20, subdivision 3, related to noncompliance with federal performance standards also
2.33 apply.