

**SENATE  
STATE OF MINNESOTA  
NINETY-FIRST SESSION**

**S.F. No. 2125**

(SENATE AUTHORS: ABELER, Hoffman, Rosen and Relph)

DATE	D-PG	OFFICIAL STATUS
03/07/2019	697	Introduction and first reading
		Referred to Human Services Reform Finance and Policy
03/14/2019	899a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to human services; requiring the commissioner of human services to ensure

1.3 certain minimum standards for children in foster care; proposing coding for new

1.4 law in Minnesota Statutes, chapter 260C.

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

1.6 Section 1. **[260C.009] FOSTER CARE MINIMUM STANDARDS.**

1.7 The commissioner shall ensure that each child placed in foster care is entitled to certain

1.8 minimum standards while in foster care. Each child placed in foster care shall receive

1.9 notification of these minimum standards immediately upon out-of-home placement or during

1.10 the child's first meeting with a county social worker, in a document that is age and

1.11 developmentally appropriate. The document shall include the address and telephone number

1.12 of the Office of Ombudsman for Families and a brief statement describing how to file a

1.13 complaint with the office concerning a violation of any minimum standard. A child's social

1.14 worker must review the document annually with the child in an age and developmentally

1.15 appropriate manner. The commissioner shall develop a form outlining these minimum

1.16 standards and providing additional guidance, and issue a bulletin listing these minimum

1.17 standards and the requirements for responsible social services agencies as soon as is

1.18 practicable. The commissioner shall include the information required under this paragraph

1.19 in training materials for adoption and foster care workers and administrators. The

1.20 commissioner shall ensure that a child in foster care has:

1.21 (1) the basic support that every child needs, which includes a family, a safe home with

1.22 appropriate sleeping arrangements, nutritious food, clothing, hygiene products, the child's

1.23 own belongings, and access to a working phone;

2.1 (2) safety, which includes respectful treatment, appropriate discipline, protection from  
2.2 maltreatment, and communication with trusted adults without fear of retaliation;

2.3 (3) contact with caring people, which includes visiting or communicating with family  
2.4 and friends, and participating in activities with peers;

2.5 (4) health care, which includes routine checkups, doctor visits when the child is sick,  
2.6 and access to medical, dental, or mental health providers as necessary;

2.7 (5) education, which includes attending age-appropriate educational classes or  
2.8 extracurricular activities;

2.9 (6) access to legal resources, which includes appointment of and access to an attorney,  
2.10 guardian ad litem, or social worker, notification of court proceedings, orders, or  
2.11 determinations;

2.12 (7) placement in an environment that meets the child's needs, which includes a placement  
2.13 in close proximity to the child's family, reasonable access to a bedroom, fair rules with  
2.14 explanations, not using detention as respite or emergency placement, and stability;

2.15 (8) age-appropriate decision-making authority, which includes participation in case  
2.16 planning discussions and the ability to express the child's gender, sexual identity, religion,  
2.17 or culture; and

2.18 (9) access to transitional support information, which includes materials for aging out of  
2.19 care and for accessing records.

2.20 **EFFECTIVE DATE.** This section is effective for each child in foster care on or after  
2.21 August 1, 2019, regardless of when the child entered foster care.