

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 704

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DATE	D-PG	OFFICIAL STATUS
02/25/2013	381	Introduction and first reading Referred to Health, Human Services and Housing
03/05/2013	490a	Comm report: To pass as amended and re-refer to State and Local Government
02/27/2014	5901	Withdrawn and re-referred to Judiciary
03/10/2014	6058a	Comm report: To pass as amended
	6066	Second reading
05/15/2014	9353	General Orders: Stricken and returned to author See SF2087, Art. 5

A bill for an act

1.1
 1.2 relating to human services; requiring compliance with Department of Human
 1.3 Services guidelines for screening child maltreatment reports; requiring retention
 1.4 of certain information to identify repeated reports of maltreatment of the same
 1.5 child; amending Minnesota Statutes 2012, section 626.556, subdivision 11c, by
 1.6 adding a subdivision.

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

1.8 Section 1. Minnesota Statutes 2012, section 626.556, is amended by adding a
 1.9 subdivision to read:

1.10 Subd. 7a. **Mandatory guidance for screening reports.** Child protection intake
 1.11 workers, supervisors, and others involved with child protection screening shall follow the
 1.12 guidance provided in the Department of Human Services Minnesota Child Maltreatment
 1.13 Screening Guidelines when screening maltreatment referrals, and, when notified by the
 1.14 commissioner of human services, shall immediately implement updated procedures and
 1.15 protocols.

1.16 Sec. 2. Minnesota Statutes 2012, section 626.556, subdivision 11c, is amended to read:

1.17 Subd. 11c. **Welfare, court services agency, and school records maintained.**

1.18 Notwithstanding sections 138.163 and 138.17, records maintained or records derived
 1.19 from reports of abuse by local welfare agencies, agencies responsible for assessing or
 1.20 investigating the report, court services agencies, or schools under this section shall be
 1.21 destroyed as provided in paragraphs (a) to (d) by the responsible authority.

1.22 (a) For family assessment cases and cases where an investigation results in no
 1.23 determination of maltreatment or the need for child protective services, the assessment or
 1.24 investigation records must be maintained for a period of four years. Records under this

2.1 paragraph may not be used for employment, background checks, or purposes other than to
2.2 assist in future risk and safety assessments.

2.3 (b) All records relating to reports which, upon investigation, indicate either
2.4 maltreatment or a need for child protective services shall be maintained for at least ten
2.5 years after the date of the final entry in the case record.

2.6 (c) All records regarding a report of maltreatment, including any notification of intent
2.7 to interview which was received by a school under subdivision 10, paragraph (d), shall be
2.8 destroyed by the school when ordered to do so by the agency conducting the assessment or
2.9 investigation. The agency shall order the destruction of the notification when other records
2.10 relating to the report under investigation or assessment are destroyed under this subdivision.

2.11 (d) Private or confidential data released to a court services agency under subdivision
2.12 10h must be destroyed by the court services agency when ordered to do so by the local
2.13 welfare agency that released the data. The local welfare agency or agency responsible for
2.14 assessing or investigating the report shall order destruction of the data when other records
2.15 relating to the assessment or investigation are destroyed under this subdivision.

2.16 (e) For reports alleging child maltreatment that were not accepted for assessment
2.17 or investigation, counties shall maintain sufficient information to identify repeat reports
2.18 alleging maltreatment of the same child or children for 365 days from the date the report
2.19 was screened out. The commissioner of human services shall specify to the counties the
2.20 minimum information needed to accomplish this purpose. Counties shall enter this data
2.21 into the state social services information system.

2.22 Sec. 3. **EFFECTIVE DATE.**

2.23 This act is effective the day following final enactment.