

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

S.F. No. 79

(SENATE AUTHORS: HOFFMAN, Newton and Abeler)

DATE
01/14/2021

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Introduction and first reading

Referred to Human Services Reform Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act

1.2 relating to children; requiring parental notice of and permitting parental participation

1.3 in maltreatment determination reconsideration and human services licensing

1.4 sanction appeal hearings; amending Minnesota Statutes 2020, sections 245A.07,

1.5 by adding a subdivision; 245A.08, by adding a subdivision; 260E.33, by adding

1.6 subdivisions.

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

1.8 Section 1. Minnesota Statutes 2020, section 245A.07, is amended by adding a subdivision

1.9 to read:

1.10 Subd. 2b. **Parent notification of immediate suspension expedited hearing.** (a) If an

1.11 immediate suspension expedited hearing under subdivision 2a pertains to a maltreatment

1.12 determination under chapter 260E, then:

1.13 (1) the commissioner shall notify the maltreated child's parent, legal custodian, or

1.14 guardian of the hearing at least ten calendar days before the hearing begins; and

1.15 (2) the child's parent, legal custodian, or guardian may attend and participate in the

1.16 hearing.

1.17 (b) The notice must include the date, time, and location of the hearing and must inform

1.18 the child's parent, legal custodian, or guardian of the right to attend and participate in the

1.19 hearing.

Sec. 2. Minnesota Statutes 2020, section 245A.08, is amended by adding a subdivision to read:

Subd. 2b. Parent notification of hearing. (a) If a contested case hearing appealing a licensing sanction under section 245A.07, subdivision 3, pertains to a maltreatment determination under chapter 260E, then:

(1) the commissioner shall notify the maltreated child's parent, legal custodian, or guardian of the hearing at least ten calendar days before the hearing begins; and

(2) the child's parent, legal custodian, or guardian may attend and participate in the hearing.

(b) The notice must include the date, time, and location of the hearing and must inform the child's parent, legal custodian, or guardian of the right to attend and participate in the hearing.

Sec. 3. Minnesota Statutes 2020, section 260E.33, is amended by adding a subdivision to read:

Subd. 3a. Parent notification of fair hearing. (a) If a person or facility requests a fair hearing under subdivision 3, then:

(1) the commissioner of human services or the commissioner of education shall notify the maltreated child's parent, legal custodian, or guardian of the hearing at least ten calendar days before the hearing begins; and

(2) the child's parent, legal custodian, or guardian may attend and participate in the hearing.

(b) The notice must include the date, time, and location of the hearing and must inform the child's parent, legal custodian, or guardian of the right to attend and participate in the hearing.

Sec. 4. Minnesota Statutes 2020, section 260E.33, is amended by adding a subdivision to read:

Subd. 6a. Parent notification of contested case hearing. (a) If a license holder requests a contested case hearing under subdivision 6, then:

(1) the commissioner shall notify the maltreated child's parent, legal custodian, or guardian of the hearing at least ten calendar days before the hearing begins; and

- 3.1 (2) the child's parent, legal custodian, or guardian is permitted to attend and participate
3.2 in the hearing.
- 3.3 (b) The notice must include the date, time, and location of the hearing and must inform
3.4 the child's parent, legal custodian, or guardian of the right to attend and participate in the
3.5 hearing.