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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2605

03/20/2019 Authored by Liebling
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to human services; requiring deposit of background study fees to the special
1.3 revenue fund; amending Minnesota Statutes 2018, section 245C.10, subdivisions
1.4 2, 3, 4, 5, 6, 7, 8, 9, 9a, 10, 11, 12, 13.

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

1.6 Section 1. Minnesota Statutes 2018, section 245C.10, subdivision 2, is amended to read:

1.7 Subd. 2. Supplemental nursing services agencies. The commissioner shall recover the
1.8 cost of the background studies initiated by supplemental nursing services agencies registered
1.9 under section 144A.71, subdivision 1, through a fee of no more than \$20 per study charged
1.10 to the agency. The fees collected under this subdivision shall be deposited in the special
1.11 revenue fund. The fees collected under this subdivision are appropriated to the commissioner
1.12 for the purpose of conducting background studies.

1.13 Sec. 2. Minnesota Statutes 2018, section 245C.10, subdivision 3, is amended to read:

1.14 Subd. 3. Personal care provider organizations. The commissioner shall recover the
1.15 cost of background studies initiated by a personal care provider organization under sections
1.16 256B.0651 to 256B.0654 and 256B.0659 through a fee of no more than \$20 per study
1.17 charged to the organization responsible for submitting the background study form. The fees
1.18 collected under this subdivision shall be deposited in the special revenue fund. The fees
1.19 collected under this subdivision are appropriated to the commissioner for the purpose of
1.20 conducting background studies.

2.1 Sec. 3. Minnesota Statutes 2018, section 245C.10, subdivision 4, is amended to read:

2.2 Subd. 4. **Temporary personnel agencies, educational programs, and professional**
2.3 **services agencies.** The commissioner shall recover the cost of the background studies
2.4 initiated by temporary personnel agencies, educational programs, and professional services
2.5 agencies that initiate background studies under section 245C.03, subdivision 4, through a
2.6 fee of no more than \$20 per study charged to the agency. The fees collected under this
2.7 subdivision shall be deposited in the special revenue fund. The fees collected under this
2.8 subdivision are appropriated to the commissioner for the purpose of conducting background
2.9 studies.

2.10 Sec. 4. Minnesota Statutes 2018, section 245C.10, subdivision 5, is amended to read:

2.11 Subd. 5. **Adult foster care and family adult day services.** The commissioner shall
2.12 recover the cost of background studies required under section 245C.03, subdivision 1, for
2.13 the purposes of adult foster care and family adult day services licensing, through a fee of
2.14 no more than \$20 per study charged to the license holder. The fees collected under this
2.15 subdivision shall be deposited in the special revenue fund. The fees collected under this
2.16 subdivision are appropriated to the commissioner for the purpose of conducting background
2.17 studies.

2.18 Sec. 5. Minnesota Statutes 2018, section 245C.10, subdivision 6, is amended to read:

2.19 Subd. 6. **Unlicensed home and community-based waiver providers of service to**
2.20 **seniors and individuals with disabilities.** The commissioner shall recover the cost of
2.21 background studies initiated by unlicensed home and community-based waiver providers
2.22 of service to seniors and individuals with disabilities under section 256B.4912 through a
2.23 fee of no more than \$20 per study. The fees collected under this subdivision shall be deposited
2.24 in the special revenue fund. The fees collected under this subdivision are appropriated to
2.25 the commissioner for the purpose of conducting background studies.

2.26 Sec. 6. Minnesota Statutes 2018, section 245C.10, subdivision 7, is amended to read:

2.27 Subd. 7. **Private agencies.** The commissioner shall recover the cost of conducting
2.28 background studies under section 245C.33 for studies initiated by private agencies for the
2.29 purpose of adoption through a fee of no more than \$70 per study charged to the private
2.30 agency. The fees collected under this subdivision shall be deposited in the special revenue
2.31 fund. The fees collected under this subdivision are appropriated to the commissioner for
2.32 the purpose of conducting background studies.

3.1 Sec. 7. Minnesota Statutes 2018, section 245C.10, subdivision 8, is amended to read:

3.2 Subd. 8. **Children's therapeutic services and supports providers.** The commissioner
3.3 shall recover the cost of background studies required under section 245C.03, subdivision
3.4 7, for the purposes of children's therapeutic services and supports under section 256B.0943,
3.5 through a fee of no more than \$20 per study charged to the license holder. The fees collected
3.6 under this subdivision shall be deposited in the special revenue fund. The fees collected
3.7 under this subdivision are appropriated to the commissioner for the purpose of conducting
3.8 background studies.

3.9 Sec. 8. Minnesota Statutes 2018, section 245C.10, subdivision 9, is amended to read:

3.10 Subd. 9. **Human services licensed programs.** The commissioner shall recover the cost
3.11 of background studies required under section 245C.03, subdivision 1, for all programs that
3.12 are licensed by the commissioner, except child foster care when the applicant or license
3.13 holder resides in the home where child foster care services are provided, family child care,
3.14 child care centers, certified license-exempt child care centers, and legal nonlicensed child
3.15 care authorized under chapter 119B, through a fee of no more than \$20 per study charged
3.16 to the license holder. The fees collected under this subdivision shall be deposited in the
3.17 special revenue fund. The fees collected under this subdivision are appropriated to the
3.18 commissioner for the purpose of conducting background studies.

3.19 Sec. 9. Minnesota Statutes 2018, section 245C.10, subdivision 9a, is amended to read:

3.20 Subd. 9a. **Child care programs.** The commissioner shall recover the cost of a background
3.21 study required for family child care, certified license-exempt child care centers, licensed
3.22 child care centers, and legal nonlicensed child care providers authorized under chapter 119B
3.23 through a fee of no more than \$40 per study charged to the license holder. A fee of no more
3.24 than \$20 per study shall be charged for studies conducted under section 245C.05, subdivision
3.25 5a, paragraph (a). The fees collected under this subdivision shall be deposited in the special
3.26 revenue fund. The fees collected under this subdivision are appropriated to the commissioner
3.27 to conduct background studies.

3.28 Sec. 10. Minnesota Statutes 2018, section 245C.10, subdivision 10, is amended to read:

3.29 Subd. 10. **Community first services and supports organizations.** The commissioner
3.30 shall recover the cost of background studies initiated by an agency-provider delivering
3.31 services under section 256B.85, subdivision 11, or a financial management services provider
3.32 providing service functions under section 256B.85, subdivision 13, through a fee of no more

4.1 than \$20 per study, charged to the organization responsible for submitting the background
4.2 study form. The fees collected under this subdivision shall be deposited in the special revenue
4.3 fund. The fees collected under this subdivision are appropriated to the commissioner for
4.4 the purpose of conducting background studies.

4.5 Sec. 11. Minnesota Statutes 2018, section 245C.10, subdivision 11, is amended to read:

4.6 Subd. 11. **Providers of housing support.** The commissioner shall recover the cost of
4.7 background studies initiated by providers of housing support under section 256I.04 through
4.8 a fee of no more than \$20 per study. The fees collected under this subdivision shall be
4.9 deposited in the special revenue fund. The fees collected under this subdivision are
4.10 appropriated to the commissioner for the purpose of conducting background studies.

4.11 Sec. 12. Minnesota Statutes 2018, section 245C.10, subdivision 12, is amended to read:

4.12 Subd. 12. **Child protection workers or social services staff having responsibility for**
4.13 **child protective duties.** The commissioner shall recover the cost of background studies
4.14 initiated by county social services agencies and local welfare agencies for individuals who
4.15 are required to have a background study under section 626.559, subdivision 1b, through a
4.16 fee of no more than \$20 per study. The fees collected under this subdivision shall be deposited
4.17 in the special revenue fund. The fees collected under this subdivision are appropriated to
4.18 the commissioner for the purpose of conducting background studies.

4.19 Sec. 13. Minnesota Statutes 2018, section 245C.10, subdivision 13, is amended to read:

4.20 Subd. 13. **Providers of special transportation service.** The commissioner shall recover
4.21 the cost of background studies initiated by providers of special transportation service under
4.22 section 174.30 through a fee of no more than \$20 per study. The fees collected under this
4.23 subdivision shall be deposited in the special revenue fund. The fees collected under this
4.24 subdivision are appropriated to the commissioner for the purpose of conducting background
4.25 studies.